

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office. **OCT 19 1995**

Returned to applicant for correction.....

Corrected application filed..... Map filed **OCT 19 1995**

The applicant **Calvin Dean Stitzel & Marilyn E. Lund**

**P.O. Box 1182** of **Elko**  
Street and No. or P.O. Box No. City or Town

**Nevada** hereby make application for permission to change the  
State and Zip Code No.

**Place of Use**  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Permit 58379**  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is **Underground**  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **1.0 cfs (58 acre-feet annually)**  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Commercial**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **Commercial**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point **NW $\frac{1}{4}$  NW $\frac{1}{4}$  (Lot 1) of Section 30, T 34 N, R 55 E, MDB & M., at a point from which the NW corner of said Section 30 bears N 44° 29' 49" W, 210.20 feet.**  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within **Same as Above**  
If point of diversion is not changed, do not answer.

7. Proposed place of use **N $\frac{1}{2}$  of Section 30; SW $\frac{1}{4}$  and Portions of the SE $\frac{1}{4}$  of Section 19, T 34 N, R 55 E, MDB & M.**  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use **NW $\frac{1}{4}$  NW $\frac{1}{4}$  (Lot 1) of Section 30, T 34 N, R 55 E, MDB & M.**  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from **January 1** to **December 31** of each year.  
Month and Day Month and Day

10. Use was permitted from **January 1** to **December 31** of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **Well, Pipelines & Storage Tank**  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works **\$20,000**

13. Estimated time required to construct works **3 years**

14. Estimated time required to complete the application of water to beneficial use..... 5 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Waters applied for under this application are to serve a Commercial Development which includes an office, Truck Repair Shop, Tire Shop, Truck Wash, Cafe and 500 Motel Units. Annual consumptive use will not exceed 58.0 acre-feet annually.

By HIGH DESERT Engineering, Agent  
s/Robert E. Morley  
640 Idaho Street  
Elko, NV 89801

Compared..... cl/nsr cl/cmg

Protested.....

APPROVAL  
.....OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place of use of the waters of an underground source as heretofore granted under Permit 58379 is issued subject to the terms and conditions imposed in said Permit 58379 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 7381, Certificate 1207; 9446, Certificate 2494; 10185, Certificate 2744; 14474, Certificate 4824; 14475, Certificate 4825; 14476, Certificate 4469; 14477, Certificate 4470; 15979, Certificate 5370;  
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 1.0.....cubic feet per second, but not to exceed 58.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... April 19, 1997

Proof of completion of work shall be filed before..... May 19, 1997

Application of water to beneficial use shall be made on or before..... April 19, 1999

Proof of the application of water to beneficial use shall be filed on or before..... May 19, 1999

Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed..... JUN 08 2000

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this..... 29th day of..... March

A.D. 19..... 96  
[Signature]  
State Engineer

(PERMIT TERMS CONTINUED)

23985, Certificate 9848; 24801, Certificate 7513; 26326, Certificate 9790; 29061, Certificate 8791; 36626, Certificate 37221, Certificate 11134; 43373, 43374, 44073, 48277, 49515, 49617, Certificate 13044; 51994, 51995, 52854, 54142, 56588, 56589, 56590, 59766 and 61635 shall not exceed 18,000.0 acre-feet annually.

This permit is issued in accordance with the water right agreement dated February 28, 1994 between the City of Elko and Calvin Dean Stitzel and Marilyn E. Lund.