

**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF  
NEVADA**

Date of filing in State Engineer's Office OCT 02 1996

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed OCT -2 1996

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The applicant **LOTUS R. RUBERT AND PEGGY J. RUBERT**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **UNDERGROUND**
2. The amount of water applied for is **0.0028 SECOND FEET (1,800 GALLONS/DAY) second-feet**
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **COMMERCIAL**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks") **STORE/RESTAURANT**
  - (d) Power:
    - (1) Horsepower developed **1 HORSEPOWER**
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **NE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 9, TOWNSHIP 13 NORTH, RANGE 26 EAST, M.D.M. OR AT A POINT FROM WHICH THE N $\frac{1}{4}$  CORNER OF SAID SECTION 9 BEARS N 8°49'58" E A DISTANCE OF 1,107.57 FEET**
6. Place of Use **A PORTION OF THE NE $\frac{1}{4}$  NW $\frac{1}{4}$ , SECTION 9, TOWNSHIP 13 NORTH, RANGE 26 EAST, M.D.M.**
7. Use will begin about **JANUARY 1ST** and end about **DECEMBER 31ST**, of each year.
8. Description of proposed works **8" WELL, 1 HP HAYES PUMP, AND 1 $\frac{1}{4}$ " WATER LINE**
9. Estimated cost of works **\$5,000**
10. Estimated time required to construct works **1 YEAR**
11. Estimated time required to complete the application of water to beneficial use **2 YEARS**
12. Remarks: **Regarding Item 4(c): Water use for Store and Restraunt includes 2 toilets, 5 sinks, 2 hot water heaters, 2 swamp coolers, 1 dishwasher, 1 soda fountain, 1 ice machine, dust control, proposed lawn and tres, and other uses associated with normal store and restaurant operation.**

By s/ Rick P. Christian  
P.O. BOX 528  
YERINGTON, NEVADA 89447

Compared cl/bk cl/bk

Protested \_\_\_\_\_

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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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0028 cubic feet per second, but not to exceed 0.657 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

March 17, 1999

Proof of completion of work shall be filed before:

April 17, 1999

Application of water to beneficial use shall be filed on or before:

March 17, 2002

Proof of the application of water to beneficial use shall be filed on or before:

April 17, 2002

Map in support of proof of beneficial use shall be filed on or before:

N/A

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 17th day of March, A.D. 1997

  
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State Engineer

Completion of work filed AUG 26 1999

Proof of beneficial use filed MAY 15 2003

Cultural map filed \_\_\_\_\_

Certificate No. 16372 Issued 8-13-04