

NO. 62498

**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 04 1996

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 04 1996 under 62497

The applicant Nevada Oil and Mining Company, hereby makes application for permission to change the place of use of water heretofore appropriated under permit 57205

1. The source of water is Dinky Spring
2. The amount of water to be changed 0.1 (72.4 acre-feet)
3. The water to be used for irrigation and domestic
4. The water heretofore permitted for irrigation and domestic
5. The water is to be diverted at the following point same as existing
6. The existing permitted point of diversion is located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 21, T.46N., R58E., M.D.M. from which the NE corner of said section 21 bears N. 58°46' E., 715 ft. dist.
7. Proposed place of use portions of S $\frac{1}{2}$ S $\frac{1}{2}$ Sec 9, portions of W $\frac{1}{2}$ Sec 15, portions of Sec 16, portions of Sec. 21, portions of W $\frac{1}{2}$ Sec 22, T.46N., R.58E., M.D.M.
8. Existing place of use Portions of S $\frac{1}{2}$ S $\frac{1}{2}$ Sec 9, portions of Sec 16 and portions of W $\frac{1}{2}$ Sec 15, T.46N., R.58E., M.D.M. (approximately 350 acres)
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works Intake structure, settling basin, storage tank in small diameter pipelines to supply nursery stock of pine and fir trees to be planted within proposed place of use.
12. Estimated cost of works \$30,000.00
13. Estimated time required to construct works 4 years
14. Estimated time required to complete the application of water to beneficial use ten years
15. Remarks: Wildlife which customarily use this source will not be excluded from continuous use. Expanded irrigation system contemplated will utilize "drip" lines to individual hand-planted trees as well as overhead sprinkler distribution: hence a low annual duty is anticipated.

By s/ William A. Nisbet, Agent
421 Court Street
Elko, Nevada 89801

Compared cl/jk dl/cms

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 Dinky Spring as heretofore granted under Permit 57205, is issued subject to the terms and conditions imposed in said Permit 57205, and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change 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 subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1 cubic feet per second, **but not to exceed 72.1 acre-feet annually.**

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

N/A

Proof of completion of work shall be filed before:

N/A

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

April 7, 2000

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

May 7, 2000

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

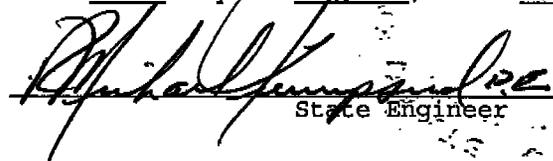
May 7, 2000

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 13th day of August, A.D. 1998



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____