

**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 APR 08 1997

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

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

Map filed APR 08 1997

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The applicant Garrett Van Diest, Inc., hereby makes application for permission to change the point of diversion and place of use of a portion of water heretofore appropriated under Permit 45775 Certificate 14165

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1. The source of water is underground
2. The amount of water to be changed .0793 cfs
3. The water to be used for irrigation and domestic use
4. The water heretofore permitted for irrigation and domestic use
5. The water is to be diverted at the following point within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 33, T.36N., R.38E., M.D.B.&M. or at a point from which the S $\frac{1}{4}$  corner of said Section 33 bears S 57 $^{\circ}$  37' 51" W a distance of 654.4 feet.
6. The existing permitted point of diversion is located within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 7, T.34N., R.38E., M.D.B.&M. or at a point from which the SE corner of said Section 7 bears S 61 $^{\circ}$  14' 12" E a distance of 2,266.62 feet.
7. Proposed place of use a portion of the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 33, T.36N., R.38E., M.D.B.&M.--5.00 acres
8. Existing place of use a portion of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 12, T.34N., R.37E., M.D.B.&M.--27.945 acres (5.00 acres to be removed)
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 drill well; install pump, pipeline, and an irrigation system
12. Estimated cost of works in excess of \$10,000
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:

By Desert Mountain Surveying as agent  
By John H. Milton III, PLS, SWRS  
s/John H. Milton III  
146 West Second Street  
Winnemucca, NV 89445

Compared ny/cms jr/cms

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 to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 45775, Certificate 14165 is issued subject to the terms and conditions imposed in said Permit 45775, Certificate 14165 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0793 cubic feet per second, but not to exceed 20.0 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

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

May 19, 2001

Proof of completion of work shall be filed before:

June 19, 2001

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

May 19, 2003

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

June 19, 2003

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

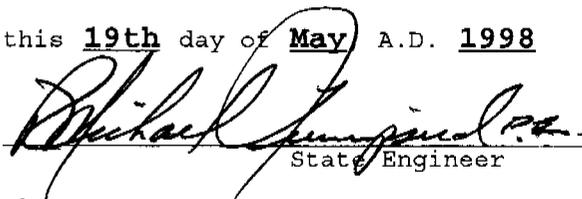
June 19, 2003

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 19th day of May A.D. 1998

  
State Engineer

Completion of work filed JUL 10 2002

Proof of beneficial use filed \_\_\_\_\_

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

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_