NO.63484

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 07 1997**

Returned to applicant for correction **OCT 24 1997**

Corrected application filed _____

Map filed **OCT 29 1997 UNDER 58986**

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The applicant **Howard W. & Kregg L. Herz** hereby make application for permission to change the **point of diversion and place of use of a portion** of water heretofore appropriated under **58986**

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1. The source of water is **undergound**

2. The amount of water to be changed **0.020 CFS 4.0 AFA**

3. The water to be used for **Irrigation & Domestic**

4. The water heretofore permitted for **Irrigation & Domestic**

5. The water is to be diverted at the following point **within the NE 1/4 SE 1/4 Section 4, T.12 N., R.19 E., M.D.M. at a point from which the E 1/4 corner of said Section 4 bears N 58° 02'13" E, 1468.90 distant.**

6. The existing permitted point of diversion is located within **the NE1/4 SE1/4 Section 29, T.13 N., R.21 E., M.D.M. at a point from which the E 1/4 corner of said Section 29 bears N 00°15'57" E, 982.00 feet (see map filed under Permit 58986)**

7. Proposed place of use **a portion of the NE 1/4 SE 1/4 Section 4, T.12 N., R.19 E., M.D.M. 1.0 acres within A.P.N. 19-041-25**

8. Existing place of use **a portion of the NE 1/4 SE 1/4 Section 29, T.13 N., R.21 E, M.D.M., Douglas County Nevada. (See map filed under Permit 58986)**

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 **Well, pump and motor with distribution pipelines and storage tank**

12. Estimated cost of works **$15,000**

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: **Together with a one time fill of up to 100,000 gallon fire suppression storage tank**

By **Paul Dean Higginbotham**
s/Paul Dean Higginbotham SWRS 774
P.O. Box 425
Gardnerville, NV 89410

Compared **lw/cms** dl/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 58986 is issued subject to the terms and conditions imposed in said Permit 58986 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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 for the irrigation of 1.0 acre within the described place of use.

Any well drilled under Permit 58986 shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within 60 days from the issuance of this permit.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.020** cubic feet per second, **but not to exceed 4.0 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:
July 7, 2000

Proof of completion of work shall be filed before:
August 7, 2000

Application of water to beneficial use shall be filed on or before:
July 7, 2003

Proof of the application of water to beneficial use shall be filed on or before:
August 7, 2003

Map in support of proof of beneficial use shall be filed on or before:
August 7, 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 **7th** day of **July**, A.D. **1998**

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____