

AMENDED

NO. 64458

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

Date of filing in State Engineer's Office SEP 17 1998  
Returned to applicant for correction OCT 06 1998  
Corrected application filed NOV 09 1998  
Map filed NOV 09 1998

\*\*\*\*\*

The applicant **Gary Dykes**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

\*\*\*\*\*

1. The source of the proposed appropriation is **spring**
2. The amount of water applied for is **0.1 cfs** second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **irrigation and domestic**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated **4**
  - (b) Stockwater, state number and kinds of animals to be watered
  - (c) Other use (describe fully under No. 12. "Remarks")
  - (d) Power:
    - (1) Horsepower developed
    - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **within the SE¼ NW¼ of section 3, T.13N., R.23E., M.D.B.&M. or at a point from which the SW corner of section 4, T.13N., R.23E., M.D.B.&M bears S 65° 56' 34" W a distance of 8,449.54 feet**
6. Place of Use **within the SE¼ SE¼ of section 4, T.13N., R.23E., M.D.B.&M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **catch basin, pipe, storage tank and distribution system**
9. Estimated cost of works **\$5,000**
10. Estimated time required to construct works **3 yrs**
11. Estimated time required to complete the application of water to beneficial use **5 yrs**
12. Remarks:

**Wyatt J. Owens**  
By s/**Wyatt J. Owens**  
**P. O. Box 16**  
**Gardnerville, NV 89410**

Compared my/bk hf/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 all existing rights on the source. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. 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.

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

A description of how wildlife has first access to the water prior to being used for irrigation must be filed with the State Engineer prior to the filing of the Proof of Completion of Work.

A copy of the document securing access to the spring from the Bureau of Land Management must be filed prior to placing the water to beneficial use.

The total combined diversion rate of Permits 64458 and 64459 shall not exceed 0.012 cubic feet per second.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.005 cubic feet per second, 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:

June 23, 2002

Proof of completion of work shall be filed before:

July 23, 2002

Water must be placed to beneficial use on or before:

June 23, 2005

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

July 23, 2005

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

July 23, 2005

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 23rd day of, June A.D. 2000

*R. Michael Turnipseed P.E.*  
State Engineer

CANCELED **JAN 07 2003** BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT  
*Turnipseed, P.E.* **DAM**  
STATE ENGINEER

Completion of work filed \_\_\_\_\_

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

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

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

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Wyatt J. Owens  
By s/Wyatt J. Owens  
P. O. Box 16  
Gardnerville, NV 89410

Compared my/bk

Protested \_\_\_\_\_

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DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that there is insufficient unappropriated water at the source and it would threaten to prove detrimental to the public interest to grant a permit on a source of water where there would not be sufficient flow to ensure the customary use by wildlife as required under NRS 533.367.

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

Proof of completion of work shall be filed before:

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

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

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

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 11th day of August, A.D. 1999

Michael Turnipseed P.E.  
State Engineer

*Rescinded 3-18-00 See Ruling 4881*

CANCELLED \_\_\_\_\_ BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Completion of work filed \_\_\_\_\_ Turnipseed, P.E. STATE ENGINEER

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

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

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