NO. 64557

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

Date of filing in State Engineer's Office OCT 28 1998

Returned to applicant for correction

Corrected application filed

Map filed OCT 18 1998 under 64555

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The applicant **David M. Rumsey & Jennifer S. Culp**, 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 **1.00 cfs not to exceed 600 AF/Y** second-feet

   (a) If stored in reservoir give number of acre-feet

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

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")

   (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 **NE¼ NE¼ of Section 9 T.32N., R.21E., M.D.B.&M. or at a point from which the NE corner of Section 9 T.32N., R.21E., M.D.B.&M. bears N43°35'24" E a distance of 458.51 feet. (Well #3)**

6. Place of Use **320 acres located within the W½SE¼, NE¼SE¼, E½NE¼ of Section 9 and the W½NW¼, NE¼NW¼ of Section 10 all in T.32N., R.21E., M.D.B.&M. (APN #71-14-13)**

7. Use will begin about **January 1** and end about **December 31**, of each year.

8. Description of proposed works **existing artesian well, ditches, ponds and riparian areas**

9. Estimated cost of works **$50,000**

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: **See Attachment A**

**s/Chris C. Mahannah**
By **Chris C. Mahannah, P.E.,agent**
**P.O. Box 9066**
**Reno, NV 89507**

Compared **jr/dl** dl/cmf

Protested by The Estate of John Casey 2/2/99; wdn w/conditions 4/22/99

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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. 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 at permittee's well due to other ground water development in the area. A measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water granted herein 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 total combined duty of water under Permits 64555, 64556, 64557 and 64558 shall not exceed 600.0 acre-feet annually.

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

The total combined diversion rate of Permits 64555, 64556, 64557 and 64558 shall not exceed 1.0 cubic feet per second.

Should a mechanical pump ever be installed in the subject well, a totalizing flow meter shall be included with the installation of the pump.

The total combined diversion rate of the subject wells shall be measured twice per year approximately six months apart in a manner acceptable to the State Engineer, and the results of this measurement, together with the estimated total combined annual duty of water based on the two measured flow rates, shall be submitted to the State Engineer on an annual basis within thirty days of the end of each calendar year.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **1.0** cubic feet per second.

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

**December 27, 2000**

Proof of completion of work shall be filed before:

**January 27, 2001**

Water must be placed to beneficial use on or before:

**December 27, 2001**

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

**January 27, 2002**

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

**January 27, 2002**

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 **27th** day of, **December** A.D. **1999**

State Engineer

Completion of work filed JAN 23 2001

Proof of beneficial use filed DEC 23 2002

Cultural map filed

Certificate No. 16501 Issued 5-11-05

# ATTACHMENT A

**Purpose and Scope of Applications:**

The combined diversion rate and annual duty under this application and its companion applications shall not exceed 1.0 cfs or 600 acre-feet per year respectively. The applicant is seeking to change the place, period and manner of use of Permit 7067, which was certificated (#1599) for 118 acre-feet per season for irrigation use on the historic Parker Ranch, therefore the amount of new appropriation sought is 482 acre-feet per year (600 - 118 = 482). Under Permit 7067 water was developed through nine (9) artesian wells which are shown on the PBU map filed with the State Engineer on October 30, 1929. Of the nine original wells drilled, only six have been located, with Wells 2 & 3 being the main producers and Wells 1, 4, 5, & 9 seeping a small amount of water. Well 10 was drilled in 1995 for domestic purposes and has the additional capacity to deliver water for wildlife purposes. Water will be diverted from these warm water (≈80°F) artesian wells for wildlife and domestic purposes on this 320 acre parcel (APN 71-14-13) known locally as the "Parker Ranch". A wetlands and riparian area restoration program has been initiated for the benefit of wildlife species including waterfowl, fish, resident birds, migratory birds, raptors, upland game birds, and large game wildlife such as deer and pronghorn antelope. The plan includes the development and enhancement of ponds, meandering channels, wildlife watering facilities, wetlands, riparian areas, aquatic vegetation, tree and grass plantings. This plan is being developed with the assistance of the following organizations and personnel who have each visited the site an provided the enclosed letters of support: Graham Chisholm - Nature Conservancy; Robert Schmidt - USDA National Resources Conservation Service; and Patrick Coffin - USDOI, Fish and Wildlife Service.

A similar wetlands and riparian area restoration program is being initiated for the northerly neighboring 160 acre parcel (APN 71-14-12) locally known as "Wall Spring" which is owned by Michael S. Moore & Linda Fleming.

**Request to Waive Metering Requirement:**

Due to the fact that the water will be developed from artesian wells which have a limited amount of head, the placement of a totalizing flow meter at the well head will cause additional head loss, thus reducing the flow capacity of the well. There is no power at the site to pump the wells and additionally the owners would like to develop a simplified system which requires little or no maintenance and human intervention. Additionally, metering of the old wells permitted under 7067 is difficult due to the fact that Wells 2 & 3 are located approximately 12 feet apart and discharge below the surface of a pond and the remaining wells seep at a rate less than would be detectable with a flow meter, yet they produce enough water to provide some beneficial riparian habitat around the well head. Since the flow rate will be relatively constant from the artesian wells, it is requested that the totalizing metering requirement be waived. In lieu of the totalizing meter, the flow rates can be measured with a current meter and then expanded over the period of use to determine the amount of water put to beneficial use.