NO. 64989

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 MAR 26 1999

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 19 1993 under 58765

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The applicant WILLIAM R. TOMERLIN TRUST, hereby makes application for permission to change the Point of Diversion and Place of Use of a Portion of water heretofore appropriated under Permit 56047

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1. The source of water is An underground source

2. The amount of water to be changed 0.2589 CFS not to exceed 30.0 acre-feet annually

3. The water to be used for Quasi-Municipal (No Change)

4. The water heretofore permitted for Quasi-Municipal

5. The water is to be diverted at the following point Within the NE¼ SW¼ of Section 10, T12N, R19E MDB&M, or at a point from which the S¼ corner of said Section 10 bears S 29° 15' E, a distance of 2560 feet.

6. The existing permitted point of diversion is located within the NE¼ NE¼ of Section 33, T14N, R20E, MDB&M or at a point from which the N¼ corner of said Section 33 bears N 68° 38' W, a distance of 2676 feet.

7. Proposed place of use NW¼ SW¼, NE¼ SW¼ and portions of the SW¼ SW¼, SE¼ SW¼, NW¼ SE¼, and the SW¼ NE¼ of Section 10, T12N, R19E, MDB&M, Douglas County, Nevada (APN 19-110-43).

8. Existing place of use S½ SE¼ Section 20; S½ SE¼ Section 21; Section 27; Section 28; Section 33; Section 34; E½ Section 29; SE¼ SW¼ Section 29; all within T14N, R20E, MDB&M, Douglas County, Nevada.

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, submersible pump & motor, totalizing meter, distribution system and a 253,000 gallon storage tank.

12. Estimated cost of works Phase I improvements - $475,000. Phase II improvements - Approximately $125,000.

13. Estimated time required to construct works 1 year - completed well is 8 inches in diameter and 250 feet deep. Storage tank and Phase I distribution system are completed. Phase II distribution system is under construction.

14. Estimated time required to complete the application of water to beneficial use 10 years to build - out of Phase I & II of Sierra County Estates.

15. Remarks: Please use the map filed under Permit 56047 to show the existing point of diversion and place of use and the map filed

under Permit 58766 to show the proposed point of diversion and place of use. This Application is being filed to move additional Water Rights into the well covered under Permit 58766.

By B. J. Vasey
s/B J Vasey
P.O. Box 1120
Minden, Nevada 89423

Compared my/cmf cl/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 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 56047 is issued subject to the terms and conditions imposed in said Permit 56047 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 total combined duty of water under Permits 58765, 58766, 64972, 64989, and 64990 shall not exceed 58.68 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.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from the well and the amount of water used. The State Engineer will determine after the first 12 months of reporting, what further reporting requirements are necessary, but in no instance less than semi-annually.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.0879** cubic feet per second, **but not to exceed 20.36 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

Water must be placed to beneficial use on or before:

March 9, 2001

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

April 9, 2001

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

N/A

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, **December** A.D. **1999**

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed under 58766 (May 2, 1996

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____