

# TEMPORARY

NO. 65234-T

## 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 JUN 23 1999

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

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

Map filed AUG 26 1980 under 42190

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The applicant **Bently Buckeye Ranch**, hereby make application for permission to change the **Point of Diversion of a Portion** of water heretofore appropriated under **51330**

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1. The source of water is **an underground source**
2. The amount of water to be changed **0.042 CFS not to exceed 10,000,000 gallons annually**
3. The water to be used for **Quasi-Municipal & Domestic (No Change)**
4. The water heretofore permitted for **Quasi-Municipal & Domestic**
5. The water is to be diverted at the following point **within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 27, T13N, R20E, MDB&M or at a point from which the SW corner of Section 34, T13N, R20E, MDB&M bears S 19°23'24" W, a distance of 7359.0 feet.**
6. The existing permitted point of diversion is located within **the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 27, T13N, R20E, MDB&M or at a point from which the SW corner of Section 34, T13N, R20E, MDB&M bears S 15°16'W, a distance of 7838.0 feet.**
7. Proposed place of use **no change**
8. Existing place of use **portions of the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , NE $\frac{1}{4}$  NW $\frac{1}{4}$ , SW $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$ , SW $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  SW $\frac{1}{4}$ , NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 27, T13N, 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 **Drilled well submersible pump, meter, and standby power.**
12. Estimated cost of works **approximately \$25,000.00**
13. Estimated time required to construct works **One (1) Year.**
14. Estimated time required to complete the application of water to beneficial use **ten (10) years.**
15. Remarks: **See Attached.**

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

Compared dl/cmf dl/cmf

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 temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 51330 is issued subject to the terms and conditions imposed in said Permit 51330 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 temporary 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 47608, 47609, 51330 and 65234-T shall not exceed 109.62 million gallons annually.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on August 12, 2000 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(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 0.042 cubic feet per second, but not to exceed 9.91 million gallons annually.

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

Proof of completion of work shall be filed before:

Water must be placed to beneficial use 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:

**TEMPORARY**

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 13th day of August, A.D. 1999

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

EXPIRED  
DATE AUG 12 2000

ATTACHMENT

QUESTION 15:

On December 2, 1998, Application 64651 was filed to Change the Manner of Use of Permit 42191 - Certificate 10837 for the same purpose as we have filed Application 65222 and this Temporary Application. By letter dated April 27, 1999, the State Engineer informed the owner of Permit 42191 that Permit 42191 had been declared forfeited. The Declaration of Forfeiture has been appealed pursuant to NRS 533.450.

It is still the desire of the Applicant to drill a new well to be used as a "Back-up" well for the Bently Science Park system. Therefore, we have filed Application 65222 to Change the Point of Diversion of Permit 51330 to the proposed new well site.

The Applicant wishes to drill the new well as soon as possible in order to have the well completed, equipped and connected to the system prior to the opening of the new Bently building presently under construction.

Application 65222 still has to be reviewed and sent to publication and will not be ready for action in time to allow us to drill, equipt, and connect the new well to the system prior to occupying the new building.

Therefore, we have filed this Temporary Application which, if granted, would allow us to proceed with the drilling of the new well in the near future. The Temporary Application will be withdrawn when Application 65222 is granted or if the forfeiture of Permit 42191 rescinded and Application 64651 is granted.

Please use the Map filed under 42190 to show the existing Point of Diversion and Place of Use as well as the proposed Point of Diversion and Place of Use.