NO. 65609

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

NEW PRIORITY DATE:

Date of filing in State Engineer's Office ~~OCT 15 1999~~ APR 4 2006

Returned to applicant for correction

Corrected application filed

Map filed OCT 15 1999 under 65606

****

The applicant **James R. Buell, VMD**, hereby makes application for permission to change the **point of diversion** of water heretofore appropriated under **Permit 59201**

****

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

2. The amount of water to be changed **.2442 cfs**

3. The water to be used for **irrigation**

4. The water heretofore permitted for **irrigation**

5. The water is to be diverted at the following point **within the NW1/4 SE1/4 of Section 14, T.45N., R.33E., MDB&M or at a point from which the SW corner of said Section 14 bears S 64^0 04' 56" W 3,154 feet**

6. The existing permitted point of diversion is located within **the NW1/4 SE1/4 of Section 14, T.45N., R.33E., MDB&M or at a point from which the SW corner of said Section 14 bears S 58^0 10' 00" W 3,642 feet**

7. Proposed place of use **unchanged**

8. Existing place of use **See attachment**

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 with pump and motor; underground pipeline; and irrigated with circular sprinklers, hand lines, and flood irrigation**

12. Estimated cost of works **in excess of $50,000**

13. Estimated time required to construct works **complete; see well log filed under Permit 59201**

14. Estimated time required to complete the application of water to beneficial use **1 year**

15. Remarks: **During the survey for Proof of Beneficial Use, it was discovered that the well for this permit was drilled over 300 feet from the proposed point of diversion. See map filed under Permit 59201 for the existing point of diversion. See PBU map for Permit 59201 for the proposed point of diversion.**

By John H. Milton III, PLS, SWRS
s/ John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared ~~gkl /cmf~~ hf/cmf

Protested

****

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 of the waters of an underground source as heretofore granted under Permit 59201 is issued subject to the terms and conditions imposed in said Permit 59201 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 total combined duty of water under Permits 59616, 59617, 59618, 59619, 59621, 59622, 59624, 65606, 65607, 65608, and 65609 shall not exceed 3,958.37 acre-feet annually for the irrigation of 990.80 acres.

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

(CONTINUED ON PAGE 3)

 65609
(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.2442** cubic feet per second, **but not to exceed 103.62 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:
N/A

Proof of completion of work shall be filed before:
N/A

Water must be placed to beneficial use on or before:
August 24, 2001

Proof of the application of water to beneficial use shall be filed on or before:
September 24, 2001

Map in support of proof of beneficial use shall be filed on or before:
September 24, 2001

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **24th** day of, **August** A.D. **2000**

Hugh Ricci
State Engineer

Completion of work filed under 59201 (Aug. 29, 1995)

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

~~CANCELLED FEB 21 2006 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~
~~Ricci, P.E. STATE ENGINEER~~
Can. Rescinded 9-8-06

65609

Section	Subdivision	Township	Range	Acreage
2	NW¼ SW¼	T.45N.	R.33E.	4.0
2	SW¼ SW¼	T.45N.	R.33E.	23.8
11	NW¼ NW¼	T.45N.	R.33E.	36.5
11	NE¼ NW¼	T.45N.	R.33E.	4.3
11	SE¼ NW¼	T.45N.	R.33E.	38.4
11	SW¼ NW¼	T.45N.	R.33E.	39.1
11	NE¼ SW¼	T.45N.	R.33E.	38.5
11	NW¼ SW¼	T.45N.	R.33E.	38.9
11	SW¼ SW¼	T.45N.	R.33E.	39.0
11	SE¼ SW¼	T.45N.	R.33E.	38.8
14	NW¼ NW¼	T.45N.	R.33E.	37.3
14	NE¼ NW¼	T.45N.	R.33E.	38.6
14	SW¼ NW¼	T.45N.	R.33E.	5.5
14	SW¼ NW¼	T.45N.	R.33E.	27.0
14	SE¼ NW¼	T.45N.	R.33E.	35.9
14	SW¼ NE¼	T.45N.	R.33E.	30.6
14	SE¼ NE¼	T.45N.	R.33E.	38.8
14	NE¼ SE¼	T.45N.	R.33E.	38.3
14	NW¼ SE¼	T.45N.	R.33E.	29.7
14	SE¼ SE¼	T.45N.	R.33E.	39.8
14	SW¼ SE¼	T.45N.	R.33E.	33.3
14	NE¼ SW¼	T.45N.	R.33E.	34.3
14	NW¼ SW¼	T.45N.	R.33E.	19.0
14	NW¼ SW¼	T.45N.	R.33E.	9.4
14	SW¼ SW¼	T.45N.	R.33E.	10.0
14	SW¼ SW¼	T.45N.	R.33E.	22.7
14	SE¼ SW¼	T.45N.	R.33E.	37.3
23	NW¼ NW¼	T.45N.	R.33E.	6.2
23	NW¼ NW¼	T.45N.	R.33E.	19.9
23	NE¼ NW¼	T.45N.	R.33E.	34.1
23	NW¼ NE¼	T.45N.	R.33E.	32.8
23	NE¼ NE¼	T.45N.	R.33E.	39.7
14	SE¼ NW¼	T.45N.	R.33E.	3.9
14	SW¼ NE¼	T.45N.	R.33E.	7.3
14	NW¼ SE¼	T.45N.	R.33E.	5.1
14	SW¼ SE¼	T.45N.	R.33E.	5.9
14	NE¼ SW¼	T.45N.	R.33E.	4.6
14	NW¼ SW¼	T.45N.	R.33E.	10.9
14	SW¼ SW¼	T.45N.	R.33E.	7.8
14	SE¼ SW¼	T.45N.	R.33E.	3.8
23	NW¼ NW¼	T.45N.	R.33E.	6.4
23	NE¼ NW¼	T.45N.	R.33E.	5.3
23	NW¼ NE¼	T.45N.	R.33E.	8.3
			Total Acres: 990.8	