

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

Date of filing in State Engineer's Office JAN 25 2001

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

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

Map filed JAN 25 2001

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The applicant **Rockview Farms, inc.** 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 **the outfall from the Ponderosa Dairy operation. (See Itm 12 for explanation)**

2. The amount of water applied for is **2.6 CFS., not to exceed 800 AFA.**

(a) If stored in reservoir give number of acre-feet **20 acre-feet**

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

4. If use is for:

(a) Irrigation, state number of acres to be irrigated **1160 acres**

(b) Stockwater, state number and kind 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 NE.¼ SE.¼ of Section 9, T. 17S., R. 49E., M.D.M., or at a point from which the SE. corner of said Section 9 bears S. 33 04 31"E., a distance of 2055 feet**

6. Place of Use **1160 acres as follows: All in T. 17S., R. 49E., M.D.M.,**

<b>160 acres in NW.¼</b>	<b>of Sec. 9</b>	<b>and 160 acres in NE.¼</b>	<b>Sec. 9</b>
160 " " SW.¼	" " "	and 40 " " NW.¼ SE.¼	" "
40 " " NE.¼ SE.¼	" " "	and 40 " " SE.¼ SE.¼	" "
160 " " NW.¼	" Sec. 10	and 40 " " NW.¼ NE.¼	Sec. 10
40 " " NE.¼ NE.¼	" " "	and 40 " " SW.¼ NE.¼	" "
160 " " NW.¼	" Sec. 15	and 40 " " NW.¼ SW.¼	Sec. 15
40 " " NE.¼ SW.¼	" " "	and 40 " " SW.¼ SW.¼	" "

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

8. Description of proposed works **A 75 hp. turbine pump on an 8 in. column pipe X 8 ft. deep, inserted into concrete sump**

9. Estimated cost of works **\$10,000**

10. Estimated time required to construct works **Presently completed, item 8**

11. Estimated time required to complete the application of water to beneficial use **4 years**

12. Remarks: This Application to Appropriate water is to dispose of the effluent from Permits: 43524, 59729, 61080, 62115, 62116, 64766, 64767, 65144, 65145, 66041, 66042. And also to comply with the State Engineer's Ruling #4836.

Lisle Lowe  
 By s/Lisle Lowe (agent)  
 HCR. 69, Box 400-E  
 Amargosa Valley, Nv, 89020

Compared cm/ cmf ag/ cmf

Protested 4/27/01 by U.S.D.I. National Park Service;  
 Overruled 12/23/03 See Ruling #5311

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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:

The source of water appropriated under this permit is strictly limited to wastewater produced by a commercial use of water as permitted under Permits 61080, 62115, 62116, 64766, 64767, 65144, 65145, 66041 and 66042.

This permit is issued subject to all existing rights on the source. All wastewater appropriated under this permit must be measured through a totalizing meter placed at a location which will accurately record the amount of wastewater utilized for irrigation within the permitted place of use. Monthly records shall be kept of the amount of wastewater used for irrigation and the records shall be submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This irrigation is a secondary use and cannot be the primary purpose for appropriating water under Permits 61080, 62115, 62116, 64766, 64767, 65144, 65145, 66041 and 66042. The State retains the right to regulate the use of the water herein granted at any and all times.

The permit granted herein carries with it no provision or guarantee for the continuous use or availability of the water since the source is effluent.

This permit is issued for direct diversion of 2.6 cubic feet per second, therefore, secondary permits will not be required.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.6 cubic feet per second, but not to exceed 789 acre-feet annually.

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

April 6, 2005

Proof of completion of work shall be filed on or before:

May 6, 2005

Water must be placed to beneficial use on or before:

April 6, 2007

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

May 6, 2007

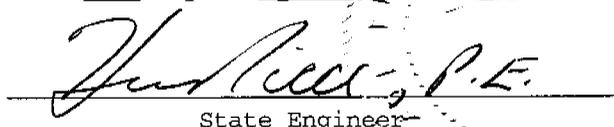
Map in support of proof of beneficial use shall be filed on or before:

May 6, 2007

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

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 6th day of April, A.D. 2004

  
State Engineer

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

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

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

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