No. 70196

**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 JUL 03 2003

Returned to applicant for correction

Corrected application filed

Map filed JUL 03 2003 under 70192

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The applicant **State of Nevada, Division of State Lands for and on behalf of The Nevada Division of Wildlife,** hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use** of water heretofore appropriated under **all of Permit No. 15117, Certificate No. 5874**

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1. The source of water is **Steptoe Creek, a tributary to Comins Lake**

2. The amount of water to be changed **290 acre feet annually for storage**

3. The water to be used for **Wildlife and Public Recreation**

4. The water heretofore permitted for **Irrigation and domestic**

5. The water is to be diverted at the following point **within the NE¼ of the NE¼ of Section 14, T.15N., R.64E., M.D.M., or at a point from which the northeast corner of said Section 14 bears North 0°16' West a distance of 480 feet.**

6. The existing permitted point of diversion is located within **the NE¼ of the SW¼ of Section 15, T.15N., R.64E., M.D.B.&M., or at a point from which the southwest corner of Section 16, T.15N., R.64E., M.D.B.&M. bears South 77°16' West a distance of 6970 feet. Refer to Map to Accompany Proof of Beneficial Use Under Permit Nos. 15112, 15128 & 16875, filed in the office of the Nevada State Engineer.**

7. Proposed place of use **See EXHIBIT A, attached.**

8. Existing place of use **See EXHIBIT B, attached. Refer to Map to Accompany Proof of Beneficial Use under Permit Nos. 15114 & 15117, filed in the office of the Nevada State Engineer.**

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 **The natural channel, existing dams and diversions will be used to provide water to the proposed place of use.**

12. Estimated cost of works **Completed.**

13. Estimated time required to construct works **Completed.**

14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks:

By **s/Michael D. Buschelman**
**Michael D. Buschelman**
**P.O. Box 51371**
**Sparks, Nevada 89435-1371**

Compared cmf/cac dl/gkl

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 place of use and manner of use of the waters of Steptoe Creek a Tributary to Comins Lake as heretofore granted under Permit 15117, Certificate 5874 is issued subject to the terms and conditions imposed in said Permit 15117, Certificate 5874 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

This permit to store 290 acre-feet annually of water per annum for wildlife purposes is issued subject to all existing rights on the source. The proof of beneficial use, when filed, must show the maximum amount of water stored and released during any one year. 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Water from Steptoe Creek is conveyed by a man-made ditch to Comins Lake for storage, where it is commingled with the waters of Comins Lake, which is appropriated under Permit 15114, Certificate 5873, changed by Permit 70195, thence the commingled waters are re-diverted from the lake for wildlife purposes within the described place of use.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

**70196**

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **for the storage of 290 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:
**April 18, 2007**

Proof of completion of work shall be filed on or before:
**May 18, 2007**

Water must be placed to beneficial use on or before:
**April 18, 2010**

Proof of the application of water to beneficial use shall be filed on or before:
**May 18, 2010**

Map in support of proof of beneficial use shall be filed on or before:
**N/A**

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **18th** day of **April**, A.D. **2005**

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

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EXHIBIT "A"
PROPOSED PLACE OF USE, STEPTOE CREEK & TRIBUTARIES

| DIVISION | SECTION | TOWNSHIP | RANGE | MERIDIAN |
|---|---|---|---|---|
| SW 1/4 | 17 | 15N | 64E | M.D.B.&M. |
| NW 1/4 | 17 | 15N | 64E | M.D.B.&M. |
| NE 1/4 | 17 | 15N | 64E | M.D.B.&M. |
| SE 1/4 | 7 | 15N | 64E | M.D.B.&M. |
| NE 1/4 | 7 | 15N | 64E | M.D.B.&M. |
| SW 1/4 | 8 | 15N | 64E | M.D.B.&M. |
| NW 1/4 | 8 | 15N | 64E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 8 | 15N | 64E | M.D.B.&M. |
| SW 1/4 NE 1/4 | 8 | 15N | 64E | M.D.B.&M. |
| NW 1/4 SE 1/4 | 8 | 15N | 64E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 8 | 15N | 64E | M.D.B.&M. |
| NW 1/4 | 5 | 15N | 64E | M.D.B.&M. |
| SW 1/4 | 5 | 15N | 64E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 5 | 15N | 64E | M.D.B.&M. |
| SW 1/4 NE 1/4 | 5 | 15N | 64E | M.D.B.&M. |
| NW 1/4 SE 1/4 | 5 | 15N | 64E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 5 | 15N | 64E | M.D.B.&M. |
| SE 1/4 | 6 | 15N | 64E | M.D.B.&M. |
| NE 1/4 | 6 | 15N | 64E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 36 | 16N | 63E | M.D.B.&M. |
| NE 1/4 NE 1/4 | 36 | 16N | 63E | M.D.B.&M. |
| SE 1/4 NE 1/4 | 36 | 16N | 63E | M.D.B.&M. |
| NE 1/4 SE 1/4 | 36 | 16N | 63E | M.D.B.&M. |
| SE 1/4 SE 1/4 | 36 | 16N | 63E | M.D.B.&M. |
| SE 1/4 | 25 | 16N | 63E | M.D.B.&M. |
| NE 1/4 | 25 | 16N | 63E | M.D.B.&M. |
| SE 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| NE 1/4 NW 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| SE 1/4 NW 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| SW 1/4 NE 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| NE 1/4 SW 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| SE 1/4 SW 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| NW 1/4 | 31 | 16N | 64E | M.D.B.&M. |
| SW 1/4 | 31 | 16N | 64E | M.D.B.&M. |
| SE 1/4 | 31 | 16N | 64E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 31 | 16N | 64E | M.D.B.&M. |
| SW 1/4 NE 1/4 | 31 | 16N | 64E | M.D.B.&M. |
| SE 1/4 NE 1/4 | 31 | 16N | 64E | |

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EXHIBIT "A"
PROPOSED PLACE OF USE, STEPTOE CREEK & TRIBUTARIES

| DIVISION | SECTION | TOWNSHIP | RANGE | MERIDIAN |
|---|---|---|---|---|
| NW 1/4 SW 1/4 | 32 | 16N | 64E | M.D.B.&M. |
| SW 1/4 SW 1/4 | 32 | 16N | 64E | M.D.B.&M. |
| SE 1/4 SW 1/4 | 32 | 16N | 64E | M.D.B.&M. |
| SW 1/4 | 30 | 16N | 64E | M.D.B.&M. |
| SW 1/4 NW 1/4 | 30 | 16N | 64E | M.D.B.&M. |

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**EXHIBIT "B"**
**EXISTING PLACE OF USE, PERMIT 15117**

| ACRES | DIVISION | | | | SECTION | TOWNSHIP | RANGE | MERIDIAN |
|---|---|---|---|---|---|---|---|---|
| 4.711 | NE | 1/4 | NW | 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| 2.562 | NW | 1/4 | NE | 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| 20.248 | SE | 1/4 | NW | 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| 28.760 | SW | 1/4 | NE | 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| 15.620 | NE | 1/4 | SW | 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| 37.521 | NW | 1/4 | SE | 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| 2.727 | SE | 1/4 | SW | 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| 38.099 | SW | 1/4 | SE | 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| 0.909 | SE | 1/4 | SE | 1/4 | 24 | 16N | 63E | M.D.B.&M. |
| 20.744 | SW | 1/4 | NE | 1/4 | 7 | 15N | 64E | M.D.B.&M. |
| 40.000 | SE | 1/4 | NE | 1/4 | 7 | 15N | 64E | M.D.B.&M. |
| 25.207 | NW | 1/4 | SE | 1/4 | 7 | 15N | 64E | M.D.B.&M. |
| 40.000 | NE | 1/4 | SE | 1/4 | 7 | 15N | 64E | M.D.B.&M. |
| 11.405 | SW | 1/4 | SE | 1/4 | 7 | 15N | 64E | M.D.B.&M. |
| 36.033 | SE | 1/4 | SE | 1/4 | 7 | 15N | 64E | M.D.B.&M. |
| 30.496 | NW | 1/4 | NW | 1/4 | 17 | 15N | 64E | M.D.B.&M. |
| 31.570 | NE | 1/4 | NW | 1/4 | 17 | 15N | 64E | M.D.B.&M. |
| 3.306 | SW | 1/4 | NW | 1/4 | 17 | 15N | 64E | M.D.B.&M. |
| 0.165 | SW | 1/4 | NW | 1/4 | 17 | 15N | 64E | M.D.B.&M. |
| 27.025 | SE | 1/4 | NW | 1/4 | 17 | 15N | 64E | M.D.B.&M. |
| 417.108 | | | | | | | | |

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**EXHIBIT "A"**
**PROPOSED PLACE OF USE, STEPTOE CREEK & TRIBUTARIES**

| DIVISION | SECTION | TOWNSHIP | RANGE | MERIDIAN |
|---|---|---|---|---|
| ALL | 34 | 15N | 64E | M.D.B.&M. |
| ALL | 27 | 15N | 64E | M.D.B.&M. |
| NE 1/4 | 28 | 15N | 64E | M.D.B.&M. |
| NE 1/4 NW 1/4 | 28 | 15N | 64E | M.D.B.&M. |
| SE 1/4 NW 1/4 | 28 | 15N | 64E | M.D.B.&M. |
| NE 1/4 SE 1/4 | 28 | 15N | 64E | M.D.B.&M. |
| SE 1/4 SE 1/4 | 28 | 15N | 64E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 20 | 15N | 64E | M.D.B.&M. |
| NE 1/4 NE 1/4 | 20 | 15N | 64E | M.D.B.&M. |
| SE 1/4 NE 1/4 | 20 | 15N | 64E | M.D.B.&M. |
| NW 1/4 | 21 | 15N | 64E | M.D.B.&M. |
| NE 1/4 | 21 | 15N | 64E | M.D.B.&M. |
| SE 1/4 | 21 | 15N | 64E | M.D.B.&M. |
| ALL | 22 | 15N | 64E | M.D.B.&M. |
| SW 1/4 SW 1/4 | 15 | 15N | 64E | M.D.B.&M. |
| SE 1/4 SW 1/4 | 15 | 15N | 64E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 15 | 15N | 64E | M.D.B.&M. |
| SE 1/4 SE 1/4 | 15 | 15N | 64E | M.D.B.&M. |
| NW 1/4 SW 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| SW 1/4 SW 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| SE 1/4 SW 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| SE 1/4 SE 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| SE 1/4 | 17 | 15N | 64E | M.D.B.&M. |

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| DIVISION | SECTION | TOWNSHIP | RANGE | MERIDIAN |
|---|---|---|---|---|
| NE 1/4 NE 1/4 | 32 | 15N | 64E | M.D.B.&M. |
| SE 1/4 NE 1/4 | 32 | 15N | 64E | M.D.B.&M. |
| NE 1/4 SE 1/4 | 32 | 15N | 64E | M.D.B.&M. |
| SE 1/4 SE 1/4 | 32 | 15N | 64E | M.D.B.&M. |
| ALL | 33 | 15N | 64E | M.D.B.&M. |
| SW 1/4 | 28 | 15N | 64E | M.D.B.&M. |
| NW 1/4 NW 1/4 | 28 | 15N | 64E | M.D.B.&M. |
| SW 1/4 NW 1/4 | 28 | 15N | 64E | M.D.B.&M. |
| NW 1/4 SE 1/4 | 28 | 15N | 64E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 28 | 15N | 64E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 29 | 15N | 64E | M.D.B.&M. |
| NE 1/4 NE 1/4 | 29 | 15N | 64E | M.D.B.&M. |
| SE 1/4 NE 1/4 | 29 | 15N | 64E | M.D.B.&M. |
| NE 1/4 SE 1/4 | 29 | 15N | 64E | M.D.B.&M. |
| SE 1/4 SE 1/4 | 29 | 15N | 64E | M.D.B.&M. |
| NW 1/4 | 20 | 15N | 64E | M.D.B.&M. |
| SE 1/4 | 20 | 15N | 64E | M.D.B.&M. |
| SW 1/4 NE 1/4 | 20 | 15N | 64E | M.D.B.&M. |
| SW 1/4 | 21 | 15N | 64E | M.D.B.&M. |
| NW 1/4 SW 1/4 | 14 | 15N | 64E | M.D.B.&M. |
| NE 1/4 SW 1/4 | 14 | 15N | 64E | M.D.B.&M. |
| SE 1/4 NW 1/4 | 14 | 15N | 64E | M.D.B.&M. |
| SW 1/4 NE 1/4 | 14 | 15N | 64E | M.D.B.&M. |
| SE 1/4 NE 1/4 | 14 | 15N | 64E | M.D.B.&M. |
| NE 1/4 NE 1/4 | 14 | 15N | 64E | M.D.B.&M. |
| NW 1/4 SW 1/4 | 15 | 15N | 64E | M.D.B.&M. |
| NE 1/4 SW 1/4 | 15 | 15N | 64E | M.D.B.&M. |
| NW 1/4 SE 1/4 | 15 | 15N | 64E | M.D.B.&M. |
| NE 1/4 SE 1/4 | 15 | 15N | 64E | M.D.B.&M. |
| NE 1/4 SW 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| NW 1/4 SE 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| NE 1/4 SE 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| SW 1/4 NW 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| SE 1/4 NW 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| SW 1/4 NE 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| SE 1/4 NE 1/4 | 16 | 15N | 64E | M.D.B.&M. |
| NE 1/4 NE 1/4 | 16 | 15N | 64E | M.D.B.&M. |