No. 70335

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

Date of filing in State Engineer's Office **AUG 21 2003**

Returned to applicant for correction

Corrected application filed

Map filed **AUG 21 2003 under 70331**

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The applicant **Calvin Dean Stitzel** 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 **Underground (Well No. 5)**

2. The amount of water applied for is **4.00 cfs** second-feet

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

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

4. If use is for:
   (a) Irrigation, state number of acres to be irrigated **220 acres**
   (b) Stockwater, state number and kinds 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 **SW¼ SW¼ of Section 26 T.37N., R.57E., M.D.B.&M., at a point from which the Southwest corner of Section 26, bears S 59°54'53" W, 27.00 feet.**

6. Place of Use **Sections 35 and 36, T.38N., R.57E., M.D.B.&M., W½, NW¼ NE¼ of Section 1, E½ of Section 2, E½, SW¼ of Section 11, W½ NW¼, NW¼ SW¼ of Section 12, Section 14, E½ of Section 15, E½ of Section 22, W½ of Section 23, W½ of Section 26, E½ of Section 27, E½ of Section 34, W½ W½ of Section 35, all in T.37N., R.57E., M.D.B.&M.**

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

8. Description of proposed works **Drilled well, pump, motor, pipe lines, ditches and natural channels**

9. Estimated cost of works **$10,000.00**

10. Estimated time required to construct works **3 years**

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

12. Remarks:

High Desert Engineering
By s/Robert E. Morley
640 Idaho Street
Elko, Nevada 89801

Compared cmf/sam lt/sam

Protested 10/20/03 by Pershing County Water Conservation District; Protest Withdrawn 3/13/06

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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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued for the irrigation of 220 acres within the described place of use. A portion of the proposed place of use has Humboldt River decreed water appurtenant under Claim No. 00576 and as such, water under this permit can only be used on said portion if there is no decreed water available.

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(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 **4.0** cubic feet per second, **but not to exceed 660 acre-feet seasonally, and not to exceed a seasonal duty of 3.0 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:

July 24, 2009

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

August 24, 2009

Water must be placed to beneficial use on or before:

July 24, 2011

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

August 24, 2011

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

August 24, 2011

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **24th** day of **July**, A.D. **2006**

Tracy Taylor, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____