

NO. 72011

**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 DEC 13 2004 NEW PRIORITY DATE: DEC 2 2009
Returned to applicant for correction FEB 01 2005
Corrected application filed _____
Map filed FEB 24 2005

The applicant **Albert Pete and Frank Joseph Delmue**, hereby make application for permission to change the **Point of Diversion of a portion** of water heretofore appropriated under **Permit 16721, Certificate 4847**

1. The source of water is **underground**
2. The amount of water to be changed **1.114 c.f.s.**
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 **SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, T.2.S., R.68E., M.D.B.&M., or at a point from which the SW corner of said Section 8 bears S. 70° 05' W., a distance of 581.0 feet. (same as existing POD of Permit 19119)**
6. The existing permitted point of diversion is located within **the SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T.2.S., R.68E., M.D.M., at a point from which the west quarter corner of said Section 8 bears S. 88° 57' 20" W., 929.32 feet.**
7. Proposed place of use **No change in place of use. It is the same as item 8 below. (See supporting map for Permit 16721.)**
8. Existing place of use **28.56 ac. in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, 35.02 ac. in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 8, 7.37 ac. in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, 23.98 ac. in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, 37.58 ac in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, 29.67 ac. in the NE $\frac{1}{4}$ SE $\frac{1}{4}$, 26.81 ac in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, 13.59 ac. in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 6.72 ac. in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, all in Section 18, and all above in T.2S., R.68E., M.D.M.**
9. Use will be from **Jan. 1 to Dec. 31** of each year.
10. Use was permitted from **Jan. 1 to Dec. 31** of each year.
11. Description of proposed works **Existing**
12. Estimated cost of works **Existing**
13. Estimated time required to construct works **Existing**
14. Estimated time required to complete the application of water to beneficial use **2 years**

15. Remarks:

By **Lenard D. Smith**
s/ **Lenard D Smith**
PO Box 443
Caliente NV 89008

Compared gkl/ sc lt/ gkl

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 a portion of the waters of an underground source as heretofore granted under Permit 16721, Certificate 4847, is issued subject to the terms and conditions imposed in said Permit 16721, Certificate 4847 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 11724, 16721, 19119, 72010 and 72011 shall not exceed 933.04 acre-feet annually, within the described place of use. A totalizing meter must be installed on the point of diversion of 11724.

(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 1.114 cubic feet per second, and not to exceed 523.07 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:

July 20, 2006

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

August 20, 2006

Water must be placed to beneficial use on or before:

July 20, 2008

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

August 20, 2008

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

August 20, 2008

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,
State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 20th day of July A.D. 2005



State Engineer
SEP 22 2006

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

~~CANCELLED OCT 07 2009 BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT
Tony T. P.E. STATE ENGINEER
Can. Rescinded 4-15-2010~~