

**NO. 72080**

**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 20 2004** NEW PRIORITY DATE:  
AUG 4 2011

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

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

Map filed \_\_\_\_\_ **DEC 20 2004**

\*\*\*\*\*

The applicant **Dalton Livestock** make application for permission to change the **point of diversion and place of use of a portion** of water heretofore appropriated under **#56064**

\*\*\*\*\*

1. The source of water is **underground**
2. The amount of water to be changed **1.3 c.f.s. (275.4 acre-feet)**
3. The water to be used for **irrigation and domestic**
4. The water heretofore permitted for **irrigation and domestic**
5. The water is to be diverted at the following point **within NE¼ NE¼ Section 23, T.39N., R.61E., M.D.M., from which the NE section corner of said Section 23, bears N. 45° 27' E., 1,824 feet distant.**
6. The existing permitted point of diversion is located within **NW¼ SW¼ Section 28, T.39N., R.62E., M.D.M. from which the NW corner of Section 28, bears N. 0° 53' W., 3,920 feet distant.**
7. Proposed place of use **T.39N., R.61E. M.D.M. Section 23: NE¼, W½ SE¼ (91.8 acres)**
8. Existing place of use **T.39N., R.62E., M.D.M., Section 28: SW¼, N½ SE¼, SW¼ SE¼**
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 and cased well; submersible or line shaft pump and motor, pipeline system to irrigated lands.**
12. Estimated cost of works **estimate: \$80,000.00**
13. Estimated time required to construct works **three years**
14. Estimated time required to complete the application of water to beneficial use **five years**

72080

15. Remarks: Upon issuance of permit under this application, proofs of beneficial use will be filed for permits #56064 and #66226 which together, irrigate 188.2 acres within Section 28, T.39N., R.62E..

s/ William A. Nisbet  
By William A. Nisbet, Agent  
421 Court Street  
Elko, NV 89801

Compared gkl/ \_\_\_\_\_ mt/bk \_\_\_\_\_

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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 56064 is issued subject to the terms and conditions imposed in said Permit 56064 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.

This permit is issued for the irrigation of 91.8 acres within the described place of use.

The issuance of this permit reduces the total combined duty of permits 56064 and 66226 to 564.6 acre-feet.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.3 cubic feet per second, but not to exceed 275.4 acre-feet annually, and not to exceed a yearly 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:  
March 21, 2008

Proof of completion of work shall be filed on or before:  
April 21, 2008

Water must be placed to beneficial use on or before:  
March 21, 2011

Proof of the application of water to beneficial use shall be filed on or before:  
April 21, 2011

Map in support of proof of beneficial use shall be filed on or before:  
April 21, 2011

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

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

this 21st day of March, A.D. 2006

Hugh Ricci, P.E.  
State Engineer

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

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

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

Certificate \_\_\_\_\_

~~CANCELLED JUN 24 2011 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~  
~~P.E. STATE ENGINEER~~  
~~Can. Rescinded 2-13-2012~~