



THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of applicant: CHRIS J. & SONYA C. MITCHELL AND WALTER J. & VERNA BURRUS
Source: WATER CANYON CREEK
Basin: GRASS VALLEY
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 04/19/2006

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 all existing rights on the source. A substantial lockable headgate and Parshall flume measuring device must be installed and maintained to facilitate the measurement and control of water. 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 diversion rate shall not reduce the required flow needed to satisfy the existing rights on White's Stream and Tributaries, aka White's Creek and Water Canyon. This permit is further subject to an existing decree (dated December 12, 1969) on the source and is issued with the understanding that there will be no regulation of the decreed rights for the benefit of this permit.

The point of diversion and place of use is as described under items 5 and 7 respectively on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.50 cubic feet per second or 160.0 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 proof of completion of work shall be filed on or before:

July 11, 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

July 11, 2012

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

July 11, 2012

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 11th day of July, A.D. 2007

Handwritten signature of Tracy Taylor, P.E. and the title State Engineer

Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued

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

Date of filing in State Engineer's Office APR 19 2006

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 19 2006

The applicant **Chris J. & Sonya C. Mitchell and Walter J & Verna Burrus** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Water Canyon Creek**
2. The amount of water applied for is **0.5 c.f.s.** 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 **40 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 **within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 3, T35N., R.38E. M.D.M. from which the S. $\frac{1}{4}$ -corner of said Sec. 3 bears S.50°38'W., 1,655 feet distant.**
6. Place of Use **portions of S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ and Lot 4, Sec. 3, T.35N., R38E., M.D.M. as shown on "Record of survey and Boundary line adjustment" prepared for Chris J. & Sonya C. Mitchell and Walter J. & Verna Burrus, Humboldt County Records, file #1998-6607, on October 28, 1998.**
7. Use will begin about **January 1st** and end about **December 31st** of each year.
8. Description of proposed works **diversion dam, measurement flume and ditch system with laterals, to carry diverted water to proposed place of use.**
9. Estimated cost of works **\$15,000.00**
10. Estimated time required to construct works **three years**
11. Estimated time required to complete the application of water to beneficial use **six years.**

74226

12. Remarks:

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

Compared mt/ag

Protested _____
