Permit No. 77566

# THE STATE OF NEVADA

## PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

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| **Name of applicant:** | **MARK S. MAHAN** |
| **Source:** | **UNDERGROUND** |
| **Basin:** | **EAST WALKER AREA** |
| **Manner of Use:** | **IRRIGATION** |
| **Period of Use:** | **April 1st to October 31st** |
| **Priority Date:** | **08/15/1985** |

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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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 49278, is issued subject to the terms and conditions imposed in said Permit 49278 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. 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.

The total combined duty of water under portions of Permits 49276 (806.95 acre-feet per season), 49277 (1941.61 acre-feet per season), Permit 69908 (1941.61acre-feet per season), 70050 (1134.66 acre-feet per season) and 77566 ( 1824.1acre-feet per season), and any water of the Walker River Decree C-125, and any storage water, appurtenant to the place of use shall not exceed 7556.0 acre-feet per season for the irrigation of 1889.0 acres within the described place of use. The permit holder is responsible for insuring delivery of the entitled decreed and storage waters that are supplemental to these permits. In any year that the Federal Water Master or the Walker River Irrigation District declares a full allocation of decreed water to the priority years of C-125 Claims supplemental to these permits, underground water shall not be pumped from the wells described in these permits.

(Continued on Page 2)

These permits for underground water are issued as a supplemental water supply to that that has surface water rights from the West Walker River from Claims Number 17 and 133 of the Walker River Decree Claim C-125, or from storage water provided by the Walker River Irrigation District. Irrigation shall not exceed a duty of four acre-feet per season from the total of decreed, storage, and underground waters.

The point of diversion and place of use are as described 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 4.297 cubic feet per second or 1824.1 acre-feet seasonally.**

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|---|---|
| Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: | **August 11, 2010** |
| Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: | **August 11, 2012** |
| Map in support of proof of beneficial use shall be filed on or before: | **August 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 **August**, A.D. **2009**

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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AMENDED Application No. 77566

# 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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office NOV 0 4 2008

Returned to applicant for correction NOV 0 7 2008

Corrected application filed NOV 1 4 2008 Map filed NOV 1 4 2008

The applicant Mark S. Mahan

136 E, Walker Road (Street Address or P.O. Box) of Yerington (City or Town)

Nevada, 89447 (State and Zip Code), hereby make(s) application for permission to change the

☒ Point of diversion ☒ Place of use ☐ Manner of use ☒ of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 49278

1. The source of water is Underground source (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 4.297 cfs, 1824.10 acre-feet (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Irrigation (Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use.)
4. The water heretofore used for Irrigation (If for stock, state number and kind of animals.)
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
   SW1/4 NE1/4, Section 36, T. 11N. R. 26E., M.D.B.&M. or at a point from which the W1/4 corner of Section 25, T.11N., R. 26E., M.D.B.&M. bears N. 34° 15' 55" W., a distance of 4,836.25 feet. Please refer to the supporting map being filed with this application.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   SE1/4 NE1/4, Section 36, T. 11N. R. 26E., M.D.B.&M. or at a point from which the NW corner of Section 31, T.11N., R. 27E., M.D.B.&M. bears N. 19° 20' 52" E., a distance of 1,485.72 feet. Please refer to the supporting map filed under Permit 49274.

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Please refer to Exhibit A and map filed under Permit 69908.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

Please refer to Exhibit B and map filed under Permit 49274.

9. Proposed use will be from April 1st (Month and Day) to October 31st (Month and Day) of each year.

10. Existing use permitted from April 1st (Month and Day) to October 31st (Month and Day) of each year.

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)(State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

12. Estimated cost of works $75,000

13. Estimated time required to construct works One (1) year
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Five (5) years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

In May 2005, a 16" X 602' well was drilled at the Proposed Point of Diversion. Due to the turnover in ranch personnel, the decision to equip this well and transfer the water rights was not made until recently. This application transfers that portion of Permit 49278 owned by Mark S. Mahan to this new well location. The new well is cased and includes a 100' surface seal. In addition the well will be equipped with a totalizing meter.

16. Miscellaneous remarks:
This water under this application is completely supplemental to surface water rights from the East Walker River under Claims 17 and 133 or from storage water provided by the Walker River Irrigation District.

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775-352-7800
Phone No.

By Chris S. Sarman
Print or type name clearly

Signature, applicant or agent

csarman@tecreno.com
E-mail

TEC Civil Engineering Consultants
Company Name

9480 Double Diamond Pkwy, Suite 200
Street Address or P.O. Box

Reno, Nevada 89521
City, State, Zip Code

***APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT***

***$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION***

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**Exhibit "A"**

7. Proposed Place of Use

1824.1 acres within the following described subdivisions:

T.11N., R.26 E., M.D.B. & M.

Section 25: Por. NW ¼ SW ¼, S ½ SW ¼, SW ¼ SE ¼
Section 26: Por. NE ¼ SE ¼, SE ¼ SE ¼
Section 36: All

T.11N., R.27 E., M.D.B. & M.

Section 31: SW ¼ NW ¼, SW ¼

T.10N., R.26 E., M.D.B. & M.

Section 1: NE ¼ NE ¼

T.10N., R.27 E., M.D.B. & M.

Section 5: NW ¼ SW ¼, S ½ SW ¼
Section 6: N ½, SE ¼, NW ¼ SW ¼, E ½ SW ¼
Section 7: N ½ NE ¼, SE ¼ NE ¼, NE ¼ SE ¼
Section 8: W ½, SE ¼, W ½ NE ¼
Section 9: SW ¼ SW ¼
Section 16: W ½ W ½, NE ¼ SW ¼, Por. SE ¼ SW ¼, SW ¼ SE ¼
Section 17: E ½, N ½ NW ¼, SE ¼ NW ¼
Section 20: Por. NE ¼ NE ¼, Por. SE ¼ NE ¼
Section 21: Por. NW ¼ NW ¼, Por. NE ¼ NW ¼

The 1824.1 acres irrigated within the above listed subdivisions are limited to those lands irrigated under Claims 17 and 133 of the Walker River Decree and storage rights administered by the Walker River Irrigation District.

Please refer to the supporting map filed under Permit 69908 to illustrate the proposed place of use.

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**EXHIBIT "B"**

**8. EXISTING PLACE OF USE**

T. 11 N., R. 26 E., M.D.B.& M.
Section 14: SE ¼ SW ¼
Section 23: NE ¼ NW ¼, E ½
Section 26: NE ¼, E ½ SE ¼
Section 25: NW ¼ SW ¼, S ½ SW ¼, SW ¼ SE ¼
Section 36: All

T. 11 N., R. 27 E., M.D.B.& M.
Section 31: SW ¼ NW ¼, SW ¼

T. 10 N., R. 26 E., M.D.B.& M.
Section 1: NE ¼ NE ¼

T. 10 N., R. 27 E., M.D.B.& M.
Section 5: NW ¼ SW ¼, S ½ SW ¼
Section 6: N ½, SE ¼, NW ¼ SW ¼, E ½ SW ¼
Section 7: N ½ NE ¼, SE ¼ NE ¼, NE ¼ SE ¼
Section 8: W ½, SE ¼, W ½ NE ¼
Section 9: SW ¼ SW ¼
Section 16: SW ¼, W ½ NW ¼, SW ¼ SE ¼
Section 17: E ½, N ½ NW ¼, SE ¼ NW ¼
Section 20: E ½ NE ¼, E ½ SE ¼,
Section 21: W ½, W ½ NE ¼, W ½ SE ¼
Section 28: NW ¼, W ½ NE ¼, N ½ SW ¼, W ½ SE ¼
Section 29: NE ¼ NE ¼

Note: Refer to map(s) on file under Permit 49274 to illustrate existing place of use.

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