

THE STATE OF NEVADA

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

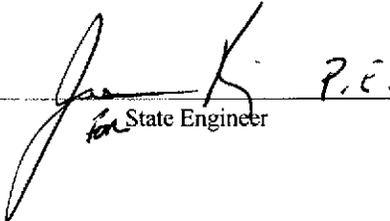
Name of applicant: DARWIN EASTER
Source: UNDERGROUND
Basin: PAHRUMP VALLEY
Manner of Use: CONSTRUCTION
Period of Use: January 1st to December 31st
Priority Date: 10/16/1967

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that the Applicant has not submitted the information requested by the State Engineer's Office, and that without this information granting of the application would threaten to prove detrimental to the public interest.

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

State Engineer of Nevada, have hereunto set my hand and the
seal of my office, this 10th day of July, A.D. 2009



for State Engineer

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 DEC 01 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed DEC 01 2008 under 77648

The applicant DARWIN EASTER

RR-4, BOX 770 of EUFAULA

Street Address or P.O. Box City or Town

OKLAHOMA 74432, hereby make(s) application for permission to change the

State and Zip Code

- 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 Number # 29049, Certificate # 8989

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 0.10 CFS 12.50 AFA 2.5 ACRES
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for CONSTRUCTION USE
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 AND DOMESTIC USE
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.)
within the SW 1/4 of the SW1/4 of Section 1, T.21 S., R. 53 E., M.D.& M., Nye County, Nevada at a point from which the SW Corner of said Section 1 bears S 43° 35' 00" W a distance of 895.00 feet, as shown on Map A.O.F. for Permit # 29049, Certificate # 8989 filed 1-16-75
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
The point of diversion will not change, see Item # 5

KEZ-NW

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

See attached Exhibit "A" and map A.O.F. with the D.W.R. for Permit # 74738 filed Aug. 9, 2002

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.)

2.5 Acres to be removed from Irrigation within the SW 1/4 of the SW 1/4 of Section 1, T.21 S. R.53 E., M.D. & M., Nye County, Nevada being the W 1/2 of A.P.N. # 44-011-08 also known as the NW 1/4 of the SW 1/4 of the SW 1/4 of the SW 1/4 of said Section 1

9. Proposed use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

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.)

Ex. 8" well casing, submergible pump, pressure tank, distribution system and totalizing meter

12. Estimated cost of works \$10,000.00 dollars

13. Estimated time required to construct works "Existing Works" same as Item # 11 above
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 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.)

The proposed use of this water is for "Construction Use" by a licenced contractor in the State of Nevada, to be used for the construction of building pads, compaction of building pads, road and driveway construction and general construction work at project sites within the "Pahrump Town Boundaries" as shown on the attached map known as the " Pahrump Regional Planning District", and detailed on Exhibit "A"

16. Miscellaneous remarks:

1-775-727-1940

Phone No.

rphillips@pahump.com

E-mail

By Ronnie M. Phillips, Agent

Print or type name clearly



Signature, applicant or agent

Triangle Surveying, Inc.

Company Name

P.O. Box 550

Street Address or P.O. Box

Pahrump, Nevada 89048

City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

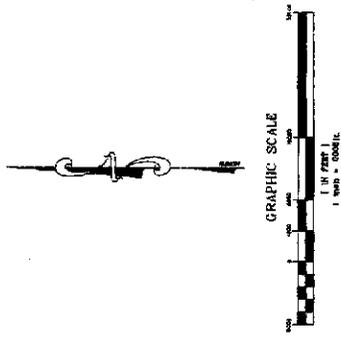
\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

RECEIVED
2008 DEC - 1 PM 4:41
STATE ENGINEERS OFFICE

EXHIBIT A

Ref: Item # 7, Proposed "Place of Use" on Change Application for Permit # 29049 CERT.# 8989
BY DARWIN EASTER

7. Proposed place of use located in the Pahrump Regional Planning District being all of Townships 18, 19, 20, 21 and 22 South, Ranges 52 and 53 East, M.D.M.; all of Townships 21, 22 and 23 South, Range 54 East M.D.M.; and those portions of Townships 18, 19 and 20 South, Range 54 East lying within Nye County, Nevada, and those portions of Townships 23, 24 and 25 North, Range 8 East, S.B.M.; and those portions of Townships 24 and 25 North, Range 7 East, S.B.M. lying within Nye County, Nevada, except those portions of Section 6, Township 22 South, Range 54 East, M.D.M., being Government Lots 12, 13, 14, 18 and 19, the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the N $\frac{1}{2}$ of the SE $\frac{1}{4}$, and the S $\frac{1}{2}$ of the NE $\frac{1}{4}$ thereof.



SURVEYOR'S CERTIFICATE.

STATE OF NEVADA }
COUNTY OF WYE }

DAVID A. RICHARDS, NEVADA STATE WATER-RIGHTS SURVEYOR, HEREBY CERTIFIES THE PROPOSED PLACE OF USE AS DESCRIBED UNDER THIS APPLICATION FOR THE COUNTY, STATE OF NEVADA, BEING THE PAHRUMP REGIONAL PLANNING DISTRICT WYE COUNTY, NEVADA. THIS MAP DOES NOT SHOW THE BOUNDARIES OF THE PAHRUMP REGIONAL PLANNING DISTRICT, BUT THE BOUNDARIES OF THE PAHRUMP REGIONAL PLANNING DISTRICT WERE PROVIDED BY THE COUNTY AND RELED UPON FOR THE PURPOSE OF THIS MAP.

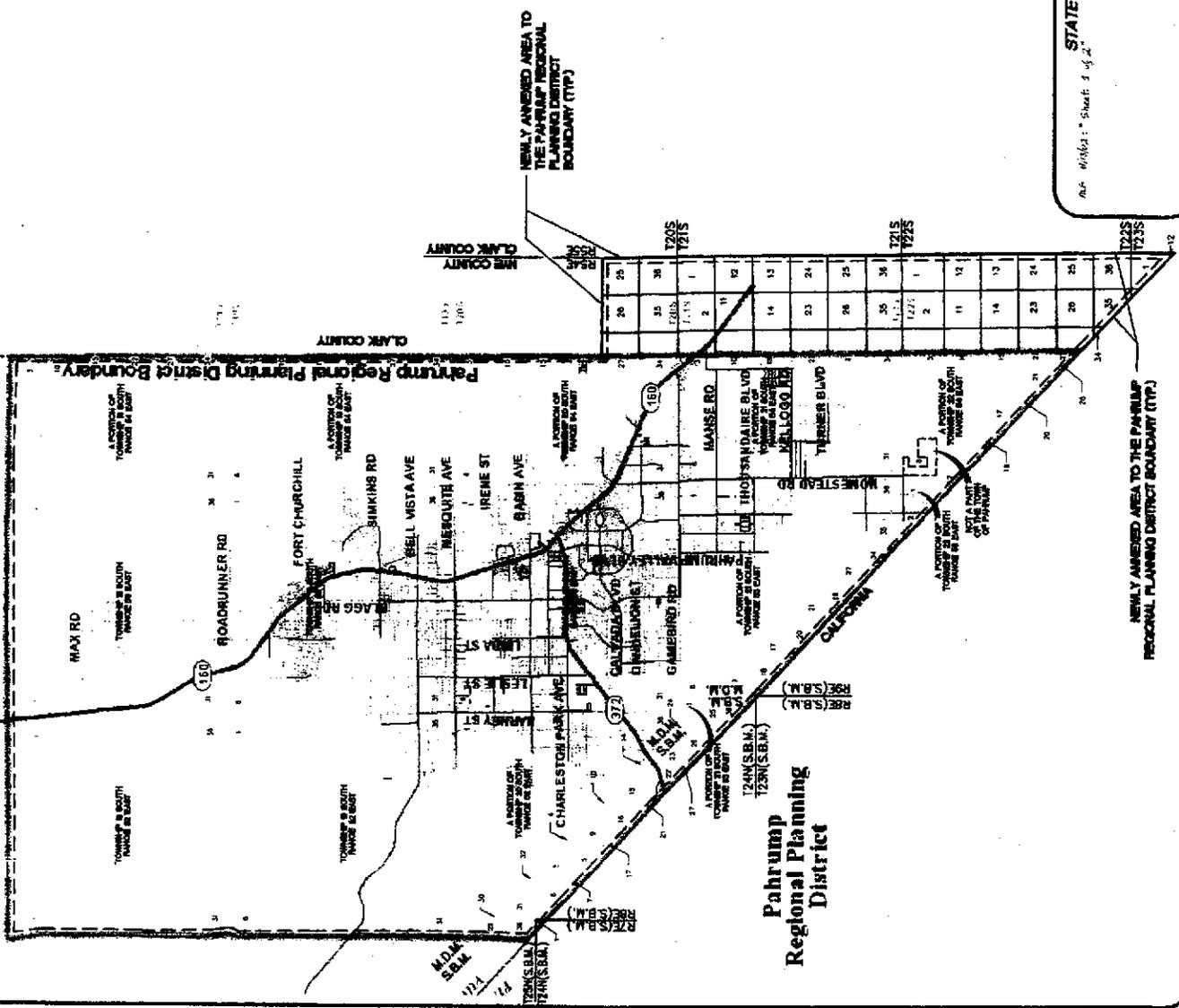


THIS 27th DAY OF September 2002
NOTARY PUBLIC IN AND FOR WYE COUNTY, NV
MY COMMISSION EXPIRES May 27 2006



NOTE:
BASE MAP PROVIDED BY WYE COUNTY PLANNING DEPARTMENT.
REVISIONS TO MAP BY CIVIL WISE SERVICES FOR PURPOSE OF THIS APPLICATION.

REFERENCES:
RECORD OF SURVEY FILE NO. 537942 DATED 9/26/02



STATE ENGINEERS USE

FILED
APR 20 2002
CIVIL WISE SERVICES

CIVIL WISE SERVICES
1701 W. BETTY AVE., Pahrump, NEV. 89048 (775) 751-6411

MAP TO ACCOMPANY APPLICATION
TO CHANGE THE PLACE OF USE UNDER
PERMIT 17289, FOR MUNICIPAL USE

APPLICANT:
WYE COUNTY, NEVADA

SCALE: 1" = 500'

SHEET 1 OF 2

JOB NUMBER: 68791