



**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**

**Name of applicant:** ANDREW AND DESERI S. MARSHALL  
**Source:** UNDERGROUND  
**Basin:** DIAMOND VALLEY  
**Manner of Use:** IRRIGATION  
**Period of Use:** January 1st to December 31st  
**Priority Date:** 08/07/1978

\*\*\*\*\*

**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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 35708, Certificate 10651 is issued subject to the terms and conditions imposed in said Permit 35708, Certificate 10651 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 total combined duty of water under Permits 78771, 78772, 78773, 78774 and 78775 shall not exceed 1028.8 acre-feet annually for the irrigation of 257.2 acres within the described place of use.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(Continued on Page 2)

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 1.53 cubic feet per second or 398.4 acre-feet annually, but not to exceed 4.0 acre-feet per acre 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:

February 18, 2011

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

February 18, 2013

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

February 18, 2013

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 18th day of February, A.D. 2010

K. Q. Taylor P.E.  
for State Engineer

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

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

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

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

llb

**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 AUG 03 2009

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

Corrected application filed \_\_\_\_\_ Map filed AUG 03 2009 under 78771

The applicant Andrew and Deseri S. Marshall  
HC 62 Box 62197 of Eureka  
Street Address or PO Box City or Town  
Nevada 89316-9601 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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)  
permit #35708 (c. #10651)

1. The source of water is underground  
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 1.53 c.f.s./ 398.4 acre-feet  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for same as existing  
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  
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.)  
same as existing
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
Lot 16, Section 4, T.20N., R.53E., M.D.M., from which the NE corner of said Section 4 bears N.29°15'E., 2,665.0 ft. distant.

153-EU

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)  
257.2 acres within the SE¼, and NE¼ (excluding lots 9 and 10) of Sec. 4, T.20N., R.53E., M.D.M.

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.)  
32.0 acres in Lot 16, Section 4  
35.6 acres in Lot 15, Section 4  
32.0 acres in SE¼NE¼ Section 4  
all in T.20N., R.53E., M.D.M., see PBU map under #35708.

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.)

Drilled and cased well, submersible pump and electric motor, piping to existing sprinkler system.

12. Estimated cost of works \$20,000.00 (completed)

13. Estimated time required to construct works existing, see well log #6313.

If well completed, describe well, ...

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

Applicant wishes to co-mingle this and other water rights for the irrigation of 257.2 acres within the E¼ Section 4.

16. Miscellaneous remarks:

Withdraw pro-rated portion of total remaining duty lying within SWNE04 (32 ac./128 a.f./0.491 c.f.s) - so that 20001 retains its full 32 acre duty in SWNE.

Please send copies of notices and correspondence to the undersigned agent.

WNISBET@CHILTON-INC.COM

E-mail Address

(775) 738-2121

Phone No.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

WILLIAM A. NISBET, AGENT

Type or print name clearly

William A. Nisbet

Signature, applicant or agent

CHILTON ENGINEERING & SURVEYING, LTD

Company Name

421 COURT STREET

Street Address or PO Box

ELKO, NV 89801-3527

City, State, ZIP Code

STATE ENGINEER  
2009 AUG -9 11 09:59