

## THE STATE OF NEVADA

### PERMIT TO APPROPRIATE WATER

**Name of applicant:** DERRICK W. JOHNSTON  
**Source:** UNNAMED STREAM  
**Basin:** CRESCENT VALLEY  
**Manner of Use:** POWER  
**Period of Use:** January 1st to December 31st  
**Priority Date:** 01/05/2010

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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 is issued subject to all existing rights on the source for power generation purposes, and with the understanding that all of the water herein granted will be returned to the stream undiminished in quantity and quality at the point designated in the application. This permit is issued with the further understanding that the proof of beneficial use, when filed, will show the amount of power generated and the amount of water required for power generation purposes. A suitable measuring device must be installed and accurate measurements of water placed to beneficial must use be kept. 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 point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.1114 cubic feet per second.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

October 20 2012

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

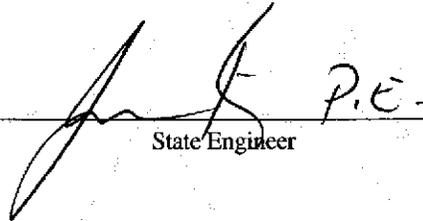
October 20 2015

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

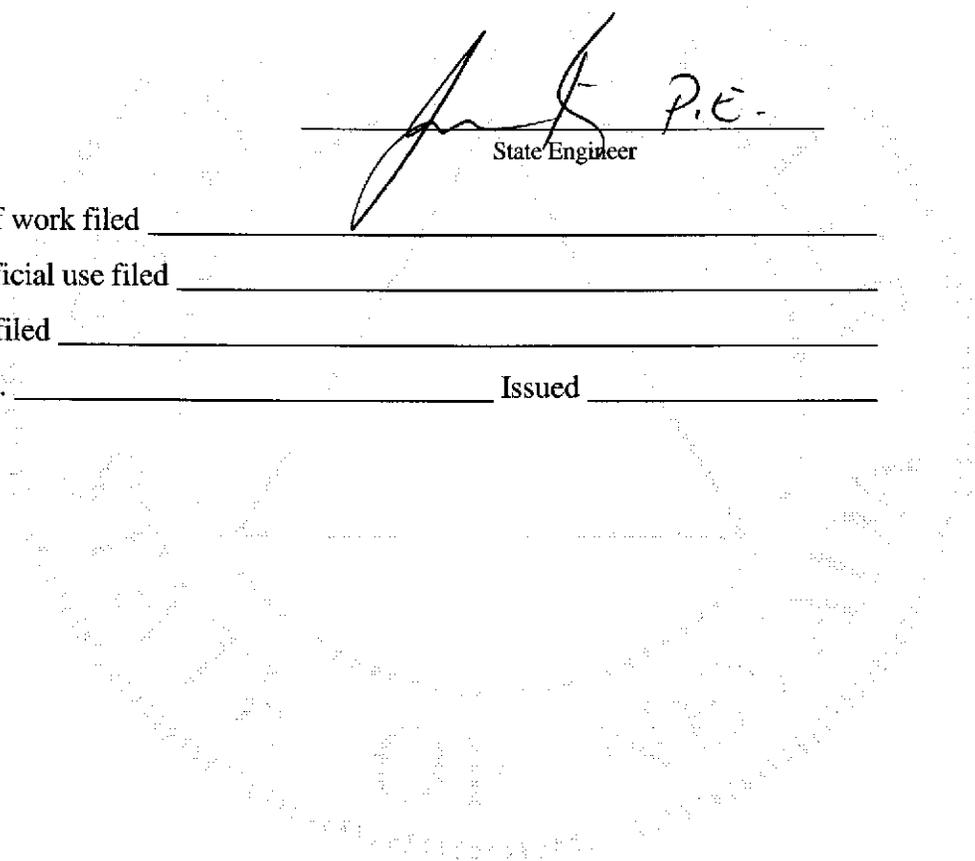
October 20 2015

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 20<sup>th</sup> day of **October**, A.D. **2010**

  
\_\_\_\_\_  
State Engineer

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



AMENDED

Application No. 79142

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

THIS SPACE FOR OFFICE USE ONLY	
Date of Filing in State Engineer's Office	<u>JAN 05 2010</u>
Returned to applicant for correction	<u>JAN 13 2010</u>
Corrected Application filed	<u>MAR 01 2010</u>
Map filed	<u>MAR 01 2010</u>

The applicant Derrick W. Johnston

176 N.E. Powderhorn Drive

Street Address or P.O. Box

of Corvallis

City or Town

Oregon, 97330-4043

State and ZIP Code

hereby make(s) application for permission to appropriate the

public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of water is unnamed stream

Name of the stream, lake, underground, spring or other sources.

2. The amount of water applied for is .1114 cfs

One second foot equals 448.83 gallons per minute.

(a) If stored in a reservoir give the number of acre-feet \_\_\_\_\_

3. The water is to be used for Domestic Power Generation

Irrigation, power, mining, commercial, domestic or other use. Must be limited to one major use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated \_\_\_\_\_

(b) Stockwater, state number and kind of animals \_\_\_\_\_

(c) Other use (describe fully in No. 12) \_\_\_\_\_

(d) Power:

(1) Horsepower developed 2 hp

(2) Point of return of water to stream NE1/4NE1/4 Section 17, T.29N.,R.46E. (see Question 13 Misc Remarks)

5. The water is to be diverted from its source 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 so stated.)  
within NW1/4NW1/4 of Section 17, T.29N., R.46E., M.D.B.&M., or at a point from which the NW corner of said Section 17, bears N24° 24'W 821.0 feet.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated)  
within the NE1/4NE1/4 of Section 17 T.29N., R.46E., M.B.D.&M.

7. Use will begin about January 1st and end about December 31st of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions 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 and flumes, drilled well with a pump and motor, etc.)

A diversion structure and 3000 feet of 4" pipeline to the generator site in the NE1/4NE1/4 of said Section 17.

9. Estimated cost of works: \$10,000.00±

10. Estimated time required to construct works: 3 years

(If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 5 years

12. 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 applicant proposes to install 3000 feet of 4" pvc pipe, utilizing approximately 300 feet difference in elevation to generated a maximum of 2hp from a pelton type turbine.

13. Miscellaneous remarks:

The point of return is in the NE1/4NE1/4 of said Section 17, at a point from which the NE corner of Section 17, bears N66° 04' E, 842 feet

dms@winnemucca.net

E-mail Address

775-623-4414

Phone No.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

John H. Milton III (agent)

Type or print name clearly

John H. Milton III

Signature, applicant or agent

Desert Mountain Surveying

Company Name

146 West Second Street

Street Address or PO Box

Winnemucca, Nevada, 89445

City, State, ZIP Code