



## THE STATE OF NEVADA

### PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

**Name of Permittee:** FRANK SETTELMAYER NORTH, LLC  
**Source:** UNDERGROUND  
**Basin:** CARSON VALLEY  
**Manner of Use:** STOCKWATERING  
**Period of Use:** JANUARY 1ST THROUGH DECEMBER 31ST  
**Priority Date:** 01/09/1961

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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 of the waters of an underground source as heretofore granted under Permit 78845 is issued subject to the terms and conditions imposed in said Permit 78845 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permit 19433, Certificate 5418; Permit 20870, Certificate 5784; Permit 30401, Certificate 9824; Permits 76134, 77685, 77686, 79676, and 80629 shall not exceed 11.29 acre-feet annually.

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 0.0078 cubic feet per second or 5.6 acre-feet annually.**

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

September 19 2013

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

September 19 2015

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

N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of **September, 2012**

TK  
for State Engineer JL, P.E.

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

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

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

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

**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 FEB 28 2011

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

Corrected application filed \_\_\_\_\_ Map filed FEB 28 2011

The applicant Frank Settelmeyer North, LLC  
P.O. Box 523 of Glenbrook  
Street Address or PO Box City or Town  
Nevada 89413 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 78845

1. The source of water is Underground  
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.0078 cfs, 5.6 AFA  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Stock - 250 head of cattle  
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 Stock - 250 head of cattle  
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.)  
SE¼SE¼ Sec. 2, T. 13N., R. 19E., M.D.M. or at a point from which the W¼ corner of Sec. 12, T. 13N., R. 19E., M.D.M., bears S. 20° 45' E., a distance of 2,907 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
SE¼SE¼ Sec. 2, T. 13N., R. 19E., M.D.M. or at a point from which the W¼ corner of Sec. 12, T. 13N., R. 19E., M.D.M., bears S. 19° 55' E., a distance of 3,538 feet.

105-70  
MA

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

No Change

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.)

S½ SE¼ Sec. 2, T. 13N., R. 19E., M.D.M.

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.)

New well, pump, motor, distribution system, and troughs.

12. Estimated cost of works \$15,000

13. Estimated time required to construct works 3 years

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.)

It is the intent of this Application is to change the Point of Diversion under Permit 78845 due to an error in the drilled location of the well. The original well drilled under Permit 78845 was located approximately 600 feet away from the intended Point of Diversion under Permit 78845. By being over 300' away from the intended Point of Diversion, the well drilled under Permit 78845 was not permissible. To rectify the situation, this Application to Change is being filed to change the Point of Diversion of Permit 78845 to reflect the actual location of the well.

16. Miscellaneous remarks:

Please send copies of all correspondence and notices to Bruce R. Scott, Resource Concepts, Inc., 340 N. Minnesota Street, Carson City, NV 89703

rciwater@rci-nv.com

E-mail Address

775-883-1600

Phone No.

Bruce R. Scott

Type or print name clearly

Signature, applicant or agent

Resource Concepts, Inc.

Company Name

340 N. Minnesota Street

Street Address or PO Box

Carson City, Nevada 89703

City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT