



## THE STATE OF NEVADA

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

**Name of Permittee:** BREAK-A-HEART, LLC  
**Source:** UNDERGROUND  
**Basin:** MASON VALLEY  
**Manner of Use:** INDUSTRIAL AND DOMESTIC  
**Period of Use:** JANUARY 1ST THROUGH DECEMBER 31ST  
**Priority Date:** 09/12/1974

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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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 51100, is issued subject to the terms and conditions imposed in said Permit 51100 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.

The total combined duty of Permit 45595, Certificate 11242 and Permit 81951 shall not exceed 170.0 acre-feet annually.

The permittee shall keep monthly records of the amount of water pumped from this well and the records must be submitted to the State Engineer on an annual basis within 30 days after the end of each calendar year.

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 0.235 cubic feet per second or 170.0 acre-feet annually.**

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

December 29 2015

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

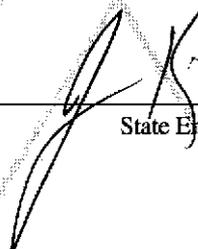
December 29 2016

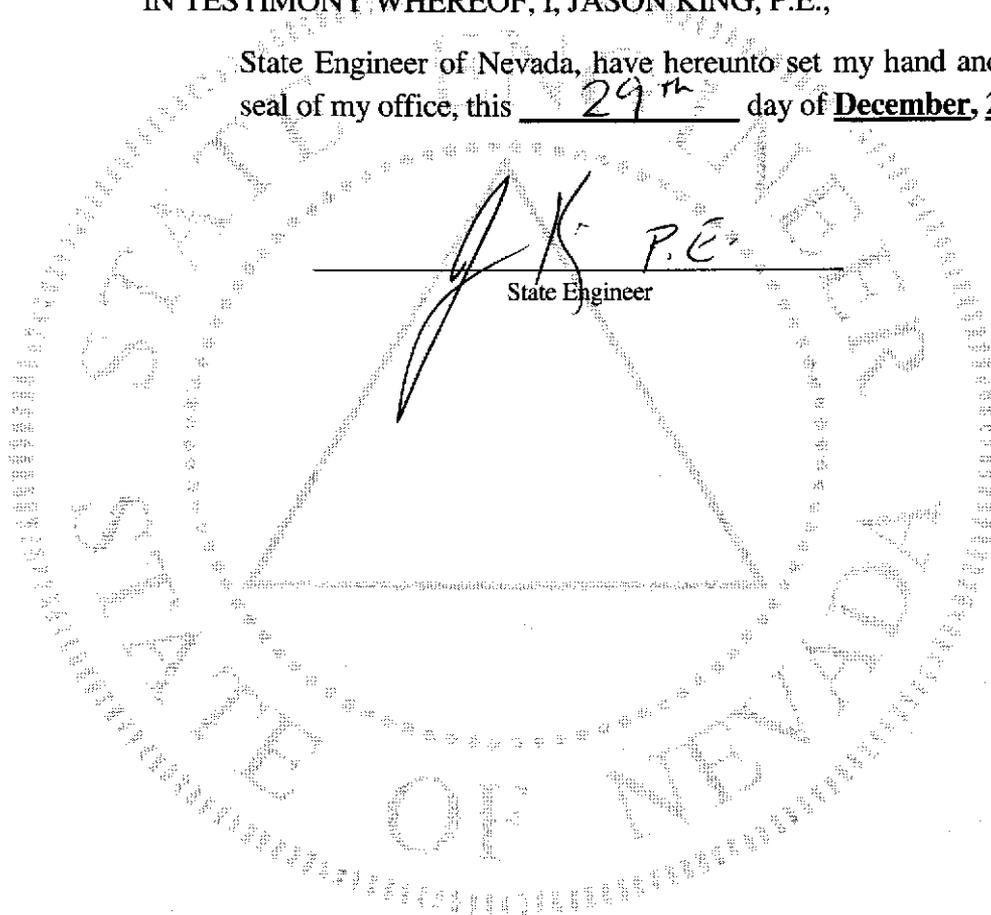
Map in support of proof of beneficial use shall be filed on or before:

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 29<sup>th</sup> day of **December, 2014**

  
\_\_\_\_\_  
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	<u>JUN 08 2012</u>
Returned to applicant for correction	_____
Corrected application filed	Map filed <u>JUN 08 2012</u>

The applicant Break - A - Heart, LLC  
Post Office Box 234 of Carson City  
Street Address or PO Box City or Town  
Nevada 89702 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 No. 51100

- The source of water is Underground Sources  
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 55.395 mga (170.00 acre feet per year) & pro-rata share of the diversion rate  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Industrial and Domestic Purposes  
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
- The water heretofore used for Industrial and Domestic Purposes  
If for stock, state number and kind of animals.
- 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.)  
NE1/4 SW1/4 Section 21, T15N, R25E, MDM, or at a point from which the NW corner of said Section 21 bears North 39 degrees 13' West, a distance of 4,069 feet. (Refer to map under Permit No. 30867)
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
Proposed point of diversion is the same as the existing point of diversion.

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

SW1/4 Section 15; N1/2SE1/4, SW1/4SE1/4 & SW1/4 Section 16; NE1/4 & SE1/4NW1/4 Section 19; N1/2 Section 20; NW1/4 & N1/2SW1/4 Section 21 all in T15N, R25E, MDM

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.)

SW1/4 Section 15; N1/2SE1/4, SW1/4SE1/4 & SW1/4 Section 16; N1/2 Section 20; NW1/4 & N1/2SW1/4 Section 21 all in T15N, R25E, MDM (Refer to map under Permit No. 30867)

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

10. Existing use permitted from January 1st to December 31st 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.)

Existing well is equipped with motor, pump, flow meter and delivery system to the proposed place of use

12. Estimated cost of works None - Existing well under Permit No. 51100

13. Estimated time required to construct works None - Existing well under Permit No. 51100

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 2 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.)

Water from the point of diversion will be transported through out the place of use by existing ditch systems and natural drainages. The place of use is being expanded to accommodate the construction of a proposed pump station, pipeline, sealed pond and wave generation facilities. These proposed facilities will be utilized in the testing of amphibious vehicles, boats and other equipment requiring testing to comply with standards for water/wave resistance/tolerances and water proofing abilities. The proposed facilities will be located on property owned by the Applicant. Refer to Lyon County Assessor Parcel Number 014-081-01.

16. Miscellaneous remarks:

Water under this application will be utilized to fill the proposed wave pond facilities and off set evaporative losses. The proposed wave pond may be filled and refilled on several occasions during the year to comply with test requirements for specific vehicles and other equipment.

mike@mbuschelman.com

E-mail Address

775-355-9628

Phone No. Ext.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

Michael D. Buschelman

Michael D. Buschelman  
Type or print name clearly

Signature, applicant or agent

Michael D. Buschelman Consulting, Inc.

Company Name

Post Office Box 51371

Street Address or PO Box

Sparks, Nevada 89435

City, State, ZIP Code