



## THE STATE OF NEVADA

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

Name of Permittee: MALCOLM F. WITTIG AND GERLINDE WITTIG  
Source: UNDERGROUND  
Basin: CLOVER VALLEY  
Manner of Use: QUASI-MUNICIPAL  
Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST  
Priority Date: 05/28/1996

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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, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 77524 is issued subject to the terms and conditions imposed in said Permit 77524 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The issuance of this quasi municipal permit is for water service to seven residential units within the described place of use.

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

A total of 7.84 acre-feet annually is abrogated from the base right. However, pursuant to NRS 533.3703 **only 4.90 acre-feet (the net consumptive use amount) at 0.0245 cubic feet per second can be diverted annually. Additional diversion up to the total may be granted if it can be shown that the additional diversion will not cause the consumptive use amount to be exceeded.**

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

December 28 2014

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

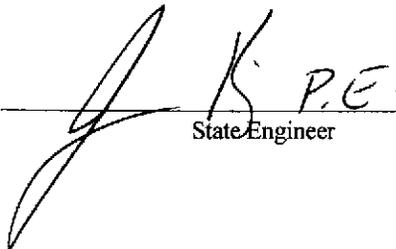
December 28 2017

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 28<sup>th</sup> day of **December, 2012**

  
\_\_\_\_\_  
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 JUL 16 2012

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

Corrected application filed \_\_\_\_\_ Map filed July 16 2012

The applicant Malcolm F. Wittig and Gerlinde Wittig

P.O. Box 238 of Wells  
Street Address or P.O. Box City or Town

Nevada 89835, 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 No. 77524

- The source of water is Underground  
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 0.0245 cfs 7.84 acre feet annually  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi-municipal  
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 Irrigation  
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 so stated.)

SE1/4 SE1/4 of Section 3, T.36 N., R.62 E., M.D.B. & M., at a point from which the Southeast Corner of said Section 3 bears S 04° 31' 08" E, 735.03 feet.

- The existing point of diversion is located within (If point of diversion is not changed, do not answer)  
SW1/4 NW1/4 of Section 3, T.36 N., R.62 E., M.D.B. & M., at a point from which the Northwest Corner of said Section 3 bears N 07° 09' 01" W, 1595.81 feet.

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)  
Portion of the NE1/4 SE1/4 and portion of S1/2 S1/2 of Section 3, T.36 N., R.62 E., M.D.B. & M.  
Being Lots 5 thru 11 as shown on the Final Map of Rainbow Estates, on file in the Office of the  
Elko County Recorder, Elko, Nevada, as File No. 559681 being Assessor Parcel No. 008-33B-005,  
thru 008-33B-011.

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.)  
All of Section 3, T.36 N., R.62 E., M.D.B. & M. 1.96 acres to be removed from irrigation.

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

10. 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.)  
Drilled well, pump and pipelines

12. Estimated cost of works \$10,000

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

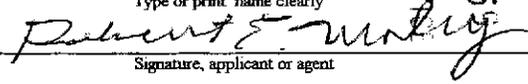
15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):(Failure to provide a detailed description may cause a delay in processing)  
The waters applied for under this application are to be used for Quasi-municipal use to supply  
water to Lots 5 thru 11 as shown on the Final Map of Rainbow Estates, on file in the Office of the  
Elko County Recorder, Elko, Nevada, as File No. 559681 Assessor Parcel No. 008-33B-005  
thru 008-33B-011.

16. Miscellaneous remarks:

RECEIVED  
2012 JUL 16 PM 12:5  
STATE ENGINEERS OFFICE

remorley@frontiernet.net  
E-mail Address  
(775) 738-4053  
Phone No.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

Robert E. Morley  
Type or print name clearly  
  
Signature, applicant or agent  
High Desert Engineering, LLC  
Company Name

640 Idaho Street  
Street address or P.O. Box  
Elko, Nevada 89801  
City, State, Zip Code