



**TEMPORARY**  
**THE STATE OF NEVADA**

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

**Name of Permittee:** F. M. FULSTONE, INC.  
**Source:** UNDERGROUND  
**Basin:** SMITH VALLEY  
**Manner of Use:** IRRIGATION  
**Period of Use:** EXPIRES DECEMBER 31, 2014  
**Priority Date:** 04/07/1961

\*\*\*\*\*

**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 temporary permit, to change the place of use of a portion of the waters of an underground source as heretofore granted under Permit 19734, Certificate 6434, is issued subject to the terms and conditions imposed in said Permit 19734, Certificate 6434, 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 permittee shall keep monthly records of the amount of water pumped from this well and the records must be submitted to the State Engineer within 30 days after the expiration of this temporary permit.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire December 31, 2014, at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(Continued on Page 2)

This temporary permit for underground water is issued as a supplemental water supply to lands that have surface water rights from the Walker River as set forth in the Walker River Decree C-125 and from storage and flood water rights provided from the Walker River Irrigation District. The total land irrigated under Permit 83653T and any decree, storage and flood water appurtenant to the place of use shall not exceed 216.8 acre-feet per year for the irrigation of 54.2 acres. The permittee is responsible for ensuring delivery of the entitled decree, storage and flood waters that Permit 83653T supplements. In any year that the Federal Water Master or the Walker River Irrigation District declares a full allocation of decree, storage and flood waters that Permit 83653T supplements, underground water shall not be pumped from the wells described in this permit. In any year that the Federal Water Master or the Walker River Irrigation District declares a reduced allocation of decree, storage and flood waters that Permit 83653T supplements, then the place of use of this permit can be irrigated with underground water only to the extent necessary to make up the reduced portion of the decree, storage and flood water any given season, but not to exceed a duty of 4.0 acre-feet per acre per year from all sources.

The issuance of Temporary Permits 83653T, 83654T, and 83655T reduces the total combined duty of Permit 19734, Certificate 6434 and Permit 70927 by 866.4 acre-feet annually to 1,547.2 acre-feet for the irrigation of 386.8 acres.

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 0.485 cubic feet per second or 216.8 acre-feet annually.**

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

N/A

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

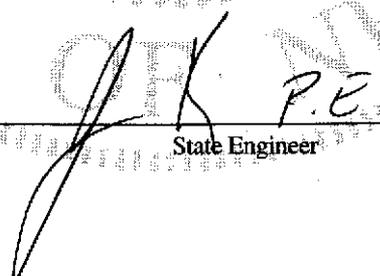
N/A

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 25<sup>th</sup> day of June, 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 MAR 24 2014

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

Corrected application filed \_\_\_\_\_ Map filed Jul 11 1961 under 19734

The applicant F.M. Fulstone, Inc.  
P.O. Box 34 of Smith  
Street Address or PO Box City or Town  
Nevada, 89430 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 #19734 C-6434

1. The source of water is underground water well  
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.485 cfs 216.8 afa  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for irrigation  
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  
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.)  
SW 1/4 NE 1/4 Section 2, T. 10N., R. 23E., MDB&M or at a point from which the N 1/4 corner of said Section 2 bears N. 6° 34' W. a distance of 2013.20 feet

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

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 Smith Valley  
 9-107  
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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)  
30.0 acres SW 1/4, NE 1/4  
24.2 acres SE1/4, NW 1/4 ALL in Section 6, T. 10N., R. 24E, MDB&M (54.2 acres total)

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.)

see Schedule A and copy of permit #68620-T

(this application and 2 accompanying Temporary Change applications will transfer all the acreage in the existing POU under previous permit #68620-T)

9. Proposed use will be from January 1, 2014 to December 31, 2014 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 drilled under permit 19734 C-6434

12. Estimated cost of works N/A

13. Estimated time required to construct works N/A

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 1 month

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.)

This is the 3rd drought year in a row, with the snow pack currently at 37% of normal average and the WRID reservoirs at 0%, with single digit appropriations at best. An emergency exists. This temporary change is identical to permit #82536-T. Please see enclosed map for proposed Place of Use. For a map of the existing Place of Use, please use the map on file under permit #68620-T. This underground well will supplement Walker River Decreed land on POU map.

16. Miscellaneous remarks:

The Parshall flume measures the discharge into the river. The water will be diverted upstream into the Saroni canal. This delivery system has been approved by Jim Shaw, the water master, and Robert Bryan, WRID manager. Robert Bryan agrees there is no need for a 10% reduction for conveyance loss.

office@fulstoneranches.com  
E-mail Address  
775-465-2341  
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Steven A. Fulstone

Signature, applicant or agent

F.M. Fulstone, Inc.

Company Name

P.O. Box 34

Street Address or PO Box

Smith, NV 89430

City, State, ZIP Code

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**Schedule A – Existing Place of Use**

28.6 acres NE 1/4, NE 1/4

28.6 acres SE 1/4, NE 1/4

20.6 acres NE 1/4, SE 1/4

12.2 acres NW 1/4, SE 1/4

40.0 acres NW 1/4, NW 1/4

14.0 acres NE 1/4, NW 1/4

14.0 acres SW 1/4, NW 1/4

28.0 acres SW 1/4, SW 1/4

2.3 acres SE 1/4, SW 1/4

28.3 acres NW 1/4, SW 1/4 ALL in Sec. 35, T. 11N., R. 23E. MDB&M

**216.6 acres total**

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