

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

**Name of Permittee:** BARTELL RANCH LLC  
**Source:** STREAM (BUFFALO CREEK)  
**Basin:** QUINN RIVER VALLEY-OROVADA SUBAREA  
**Manner of Use:** IRRIGATION  
**Period of Use:** MARCH 15TH THROUGH JULY 15TH  
**Priority Date:** 01/01/1873

\*\*\*\*\*

**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 Buffalo Creek heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation of Water V02934, is issued with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water herein granted at any and all times. This permit is issued subject to any determination of the waters of Buffalo Creek that may be made under adjudication proceedings under NRS 533.090 through 533.320.

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

This permit is also issued subject to the provision that a portion of the place of use of the water herein granted is limited to and supplemental to lands having existing water rights under Proof of Appropriation V02935, appurtenant to 7.4 acres in the NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 22, T.42N., R.37E.

The total combined duty of surface water under Proofs of Appropriation V02934, V02935, V02936, V02937, V02938, and V02939 and Permit 83845 shall not exceed 5,181.96 acre-feet per season for the irrigation of 1,355.49 acres within the described place of use.

The total combined duty of surface water under Proofs of Appropriation V02934, V02935, V02936, V02937, V02938, and V02939 and Permit 83845 and supplemental groundwater under Permit 18496, Certificate 6412 and Permit 83844 shall not exceed 1,075.2 acre-feet for the irrigation of 268.8 acres within the described place of use.

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 4.235 cubic feet per second or 677.6 acre-feet per season, but not to exceed 4.0 acre-feet per acre from all sources.

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

October 13 2015

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

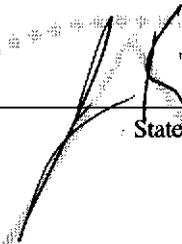
October 13 2017

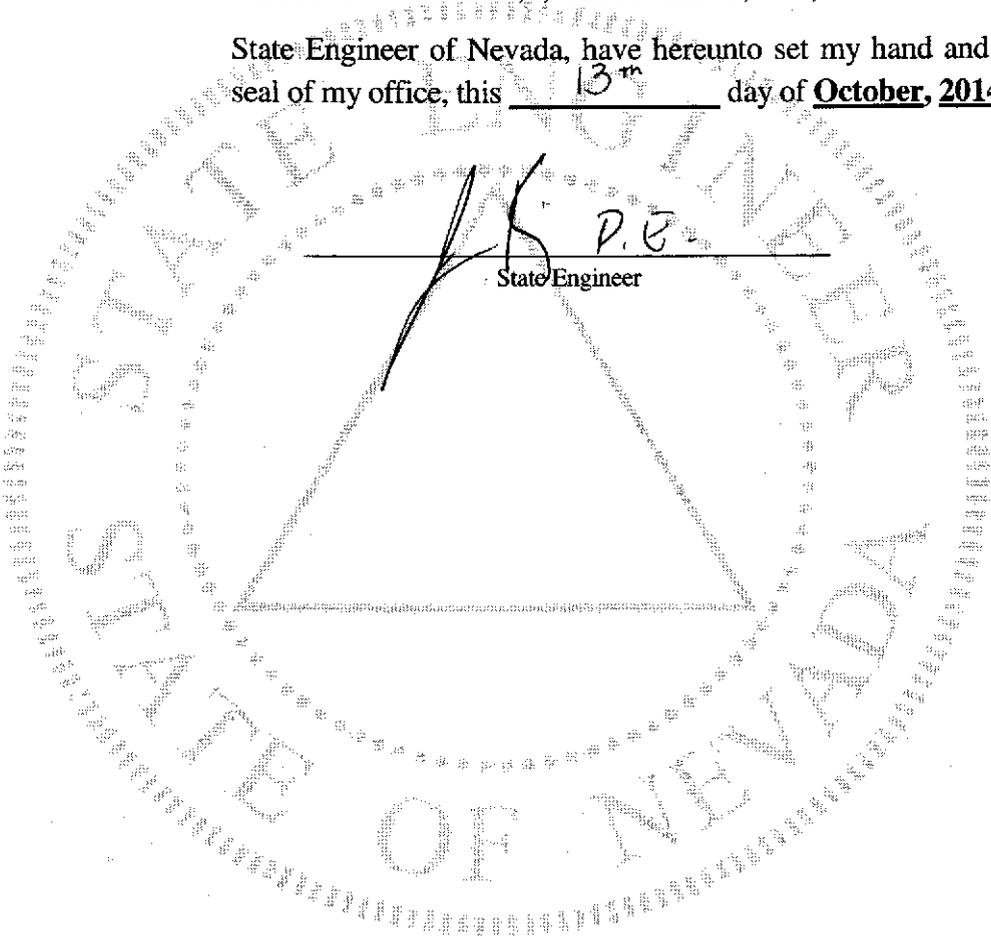
Map in support of proof of beneficial use shall be filed on or before:

October 13 2017

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13<sup>th</sup> day of October, 2014

  
\_\_\_\_\_  
P.E.  
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 MAY 16 2014

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

Corrected application filed \_\_\_\_\_ Map filed Jul 11 1977 under V02939

The applicant Bartell Ranch LLC  
P.O. Box 130 of Orovada  
Street Address or PO Box City or Town  
Nevada, 89425 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.)  
Proof 02934

RECEIVED  
 2014 MAY 16 PM 1:13  
 STATE ENGINEER'S OFFICE  
 5/22/14  
 DLR

- The source of water is Buffalo Creek  
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 4.235 cfs 677.6 AF  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- 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
- 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 stated.)  
see attachment
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
unchanged

*D.R.V. - O.S.  
 2 - 33A  
 HJ*

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

169.40 acres lying within portions Sections 21 & 22, T.42N.,R.37E., M.D.B.&M.

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 attachment

**ACREAGES ARE PER ORDER OF DETERMINATION 5/22/14 DIR**

9. Proposed use will be from March 15th to July 15th of each year.  
Month and Day Month and Day

10. Existing use permitted from March 15th to July 15th 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.)

Applicant purposes to use an existing reservoir, pipelines and new circular sprinkler.

12. Estimated cost of works \$100,000.00±

13. Estimated time required to construct works 2 years

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 4 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.)

Applicant purposes to take water collected from the Buffalo Creek points of diversion to the existing reservoir in Sections 15 & 22 and then by pipeline to a circular sprinkler in Section 21 & 22.

16. Miscellaneous remarks:

dms@winnemucca.net

E-mail Address

775-623-4414

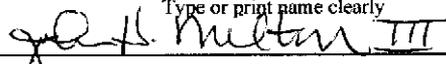
Phone No.

Ext.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

John H. Milton III

Type or print name clearly



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

**Attachment  
Question "5"  
Buffalo Creek**

1. SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 36, T.42N., R.37E., M.D.B.&M., or at a point from which the North  $\frac{1}{4}$  corner of said Section 36 bears N. 43°02'30" W., 2215.4 feet.
2. NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 36, T.42N., R.37E., M.D.B.&M., or at a point from which the North  $\frac{1}{4}$  corner of said Section 36 bears N. 43°02'30" W., 1710.2 feet
3. SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 26, T.42N., R.37E., M.D.B.&M., or at a point from which the East  $\frac{1}{4}$  corner of said Section 26 bears S. 77°18' E., 750.7 feet.

RECEIVED  
2014 MAY 15 PM 1:43  
STATE ENGINEERS OFFICE

Question "8"  
Existing Place of Use

83845

40.00	SE¼ SE¼	15	42	37	
40.00	SW¼ SE¼	15	42	37	
40.00	SE¼ SW¼	15	42	37	
36.95	SW¼ SW¼	15	42	37	
2.50	SW¼ SW¼	15	42	37	
4.96	SE¼ SE¼	16	42	37	
22.50	NW¼ NE¼	21	42	37	
32.88	NE¼ NE¼	21	42	37	
4.63	SE¼ NE¼	21	42	37	
5.29	SW¼ NE¼	21	42	37	
40.00	NW¼ SW¼	21	42	37	
40.00	NE¼ SW¼	21	42	37	
15.54	SE¼ NE¼	21	42	37	15.54 acres to be removed
3.97	SW¼ NE¼	21	42	37	3.97 acres to be removed
40.00	NW¼ SE¼	21	42	37	40.00 acres to be removed
39.77	NE¼ SE¼	21	42	37	39.77 acres to be removed
20.20	SE¼ SE¼	21	42	37	20.20 acres to be removed
18.00	SW¼ SE¼	21	42	37	18.00 acres to be removed
30.74	NW¼ NW¼	22	42	37	
40.00	NE¼ NW¼	22	42	37	
40.00	SE¼ NW¼	22	42	37	
40.00	SW¼ NW¼	22	42	37	
40.00	NW¼ NE¼	22	42	37	
40.00	NE¼ NE¼	22	42	37	
24.62	SE¼ NE¼	22	42	37	
40.00	SW¼ NE¼	22	42	37	
40.00	NW¼ SE¼	22	42	37	
2.80	NE¼ SE¼	22	42	37	
5.75	SE¼ SE¼	22	42	37	
38.81	SW¼ SE¼	22	42	37	
32.23	NW¼ SW¼	22	42	37	7.4 acres to be removed
39.34	NE¼ SW¼	22	42	37	
34.38	SE¼ SW¼	22	42	37	
7.00	NW¼ NW	22	42	37	
9.59	SE¼ NE¼	22	42	37	7.3 acres to be removed
30.47	NE¼ SE¼	22	42	37	15.72 acres to be removed
37.15	SE¼ SE	22	42	37	
.66	SE¼ SW¼	22	42	37	
15.71	SW¼ SW¼	22	42	37	1.5 acres to be removed
Total - 956.44					Total To Be Removed - 169.40 acres

RECORDED  
2014 MAY 15 PM 1:53  
STATE ENGINEERS OFFICE