Permit No. 84087

# THE STATE OF NEVADA

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

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| **Name of Permittee:** | **RICKY ALMON EVERSULT** |
| **Source:** | **UNDERGROUND** |
| **Basin:** | **MASON VALLEY** |
| **Manner of Use:** | **IRRIGATION** |
| **Period of Use:** | **JANUARY 1ST THROUGH DECEMBER 31ST** |
| **Priority Date:** | **03/25/1975** |

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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 68398, is issued subject to the terms and conditions imposed in said Permit 68398 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. 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 is issued for irrigation purposes within the described place of use, further identified as Lyon County Assessor's Parcel Number 004-153-07. This permit cannot be sold separately or otherwise transferred or conveyed from this place of use. Any attempts to change the place of use of this permit will be denied.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

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 0.0071 cubic feet per second or 1.70 acre-feet annually.**

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| Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: | **September 29 2018** |
| Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: | **September 29 2020** |
| 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 29th day of **September, 2015**

P.E.

State Engineer

Application No. 84087

# 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 08 2014

Returned to applicant for correction

Corrected application filed Map filed Jun 20 2014 under 83919

The applicant Gary Blackburn Burbank

79 Locust Drive (Street Address or PO Box) of Yerington (City or Town)

Nevada, 89447 (State and ZIP Code) hereby make(s) application for permission to change the

☑ 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. 68398

1. The source of water is an underground source
   Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed pro-rata share of the diversion rate not to exceed 1.70 acre feet per annum
   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation (limited to exterior demands of a domestic well NRS 534.013) purposes
   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 purposes
   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.)

within the NE1/4 of the SE1/4 of Section 6, T13N, R25E, MDM, or at a point from which the SE corner of said Section 6 bears South 25 degrees, 32 minutes, 42 seconds East, a distance 1,521.12 feet.

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

SE1/4 SE1/4 Section 3, T.14N., R25E., MDM, or at a point from which the SW corner of said Section 3 bears South 88 degrees, 48 minutes, 30 seconds West, a distance of 5,241.00 feet. (Refer to map filed under Permit No. 68398)

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

Within a portion of the E1/2 of the SE1/4 of section 6, T13N, R25E, MDM, also known as County Assessor Parcel No. (APN) 004-153-07.

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.)

A portion of the NW1/4 NW1/4, N1/2 SW1/4 NW1/4 Section 3, T.14N., R.25E., MDM and the SW1/4 NW1/4, NW1/4 SW1/4 Section 35, T.15N., R.25E., MDM. (Refer to map filed under Permit No. 68398)

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

10. Existing use permitted from April 1 (Month and Day) to October 31 (Month and Day) of each year.

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 domestic well, submersible motor, pump, and totalizing meter with pipeline to place of use.

12. Estimated cost of works none - existing well drilled as a domestic water source

13. Estimated time required to construct works three (3) years - see remarks under Item No. 16
If well completed, describe well.

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

See Attachment

16. Miscellaneous remarks:

A totalizing meter will be installed on the existing domestic well as the household water supply is connected to facilities of the municipal water purveyor. A three (3) year time frame is needed to accommodate the anticipated construction schedule.


jayne.burbank@yahoo.com
E-mail Address

408-426-1416
Phone No. Ext.

Gary Blackburn Burbank
Type or print name clearly

Signature, applicant or agent

Company Name

79 Locust Drive
Street Address or PO Box

Yerington, NV 89447
City, State, ZIP Code


APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/13 $240 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Application No. 84087

Attachment to Support Application to Change

Item No. 15. Provide a detailed description of the proposed project and its water usage:
This application to change is being filed in conjunction with the class action settlement of Roeder et al. v. Atlantic Richfield Co., et al., Case No. 3:11-CV-00105-RCJ-WGC, U.S. District Court, District of Nevada (Roeder Case) judgment dated October 21, 2013. The water right herein described will be limited to exterior demands only of a domestic well as described in NRS 534.013 for the well on the property described in this application. The water right will transfer with the property and cannot be separately sold or otherwise transferred or conveyed. The water under this proposed application to change may be used to continue to irrigate applicant's existing lawn, garden or provide water for domestic animals and pets kept for noncommercial use. The household water services will be disconnected from the domestic well and supplied by connection to municipal water purveyor facilities.

Once the connection is constructed and municipal service is available the applicant acknowledges the requirement to prepare and file the required proof of completion of work and proof of beneficial use to maintain the permit in good standing.