



## THE STATE OF NEVADA

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

Name of Permittee: **JOHN AND JOYCE SEWARD**  
Source: **UNDERGROUND**  
Basin: **SMITH VALLEY**  
Manner of Use: **IRRIGATION**  
Period of Use: **JANUARY 1ST THROUGH DECEMBER 31ST**  
Priority Date: **04/16/1970**

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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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 78754, is issued subject to the terms and conditions imposed in said Permit 78754 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.

The total combined duty of water under Permits 79967, 84239, 84407, and 84408 shall not exceed 62.03 acre-feet annually for the irrigation of 15.5075 acres.

If any water under this permit is cancelled 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 0.1808 cubic feet per second or 25.11 acre-feet annually, and not to exceed 4.0 acre-feet per acre.**

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

March 31 2017

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

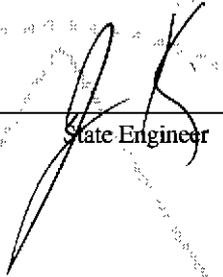
March 31 2021

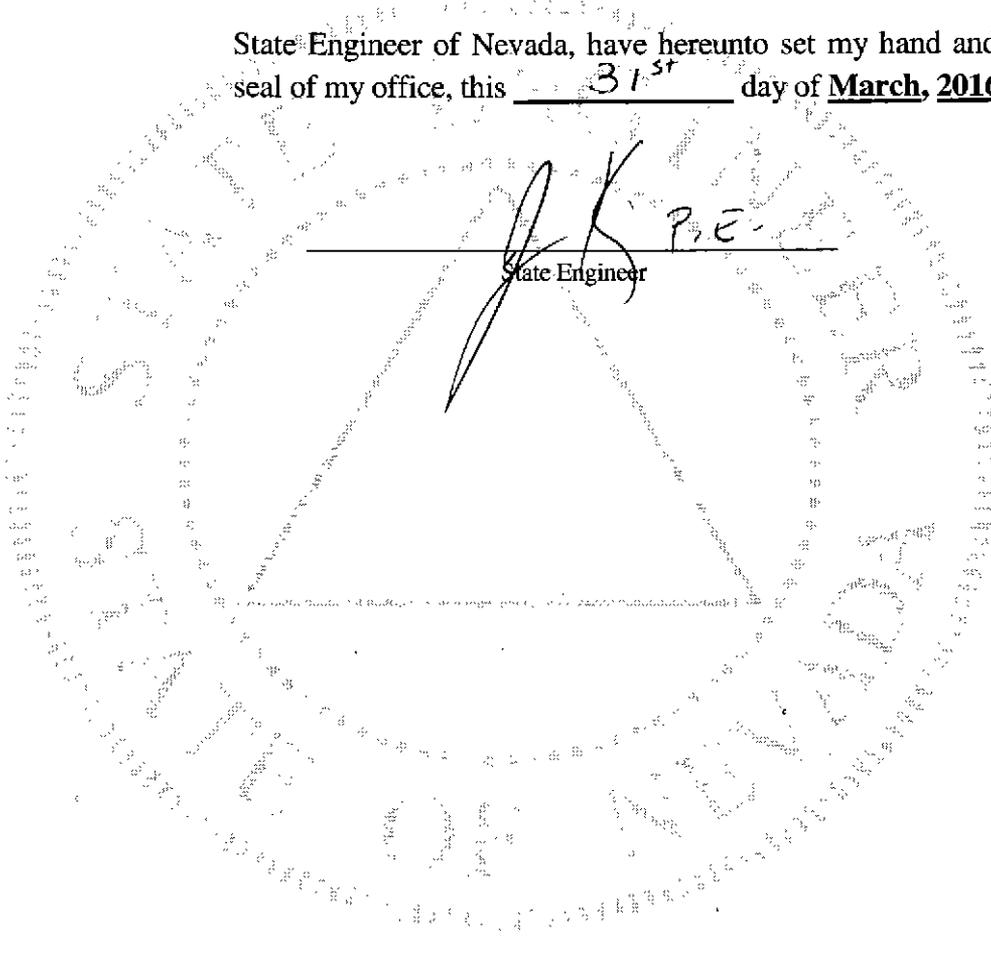
Map in support of proof of beneficial use shall be filed on or before:

March 31 2021

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 31<sup>st</sup> day of **March, 2016**

  
\_\_\_\_\_  
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 OCT 03 2014

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

Corrected application filed \_\_\_\_\_ Map filed nov 13 2002 under 69124

The applicant John and Joyce Seward  
P.O. Box 125 of Wellington  
Street Address or PO Box City or Town  
Nevada 89444 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 Decree, give title of Decree and identify right in Decree.)

Permit No. 78754

RECEIVED  
 2014 OCT -3 AM 10:27  
 STATE ENGINEERS OFFICE

- The source of water is underground  
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 0.1808 cfs, not to exceed 25.11 acre-feet annually  
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.)  
within the SE¼ SE¼ of Section 21, T. 10N., R. 24E., M.D.M., or at a point from which the East 1/4 Corner of said Section 21 bears N. 6° 48' 50 E., a distance of 1,957.60 feet.  
Refer to supporting map on file under Application 69124.
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
NE¼ SW¼ of Section 8, T. 9N., R. 24E., M.D.M., or at a point from which the West ¼ Corner of said Section 8 bears N. 80° 08' 57" W., a distance of 2,016.30 feet.  
Refer to supporting map on file under Application 78754.

*Smith Valley  
 9-107  
 Ly*

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

6.2775 acres within the SE¼ SE¼ of Section 21, T.10N., R.24E., M.D.M.

Refer to supporting map on file under Application 69124.

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.)

7.5275 acres within the NE¼ SW¼, SE¼ NW¼ and NE¼ NW¼ of Section 8, T. 9N., R. 24E., M.D.M.

1.25 acres were previously removed under Application 78951. This Application will remove the remaining 6.2775 acres.

Refer to supporting map on file under Application 78754.

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

10. Existing use permitted from January 1 to December 31 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 and cased well with a motor, pump and distribution system.

12. Estimated cost of works In excess of \$25,000.00

13. Estimated time required to construct works Well is drilled. See Well Log #81031.

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 water will be pumped from the well into a holding pond. From the holding pond the water will be pumped, distributed and used for the irrigation of various crops.

16. Miscellaneous remarks:

The water under this Application is the subject of a Water Rights Lease Agreement, by and between John & Joyce Seward (Lessors) and Todd O'Banion (Lessee). Please send copies of all correspondence to Todd O'Banion, P.O. Box 176, Wellington, NV 89444.

rciwater@rci-nv.com

E-mail Address

(775) 883-1600

Phone No.

Ext.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

Bruce R. Scott

Type or print name clearly

Signature, applicant or agent

Resource Concepts, Inc.

Company Name

340 N. Minnesota Street

Street Address or PO Box

Carson City, Nevada 89703

City, State, ZIP Code