

IN THE SUPREME COURT OF NEVADA

Electronically Filed
Apr 03 2015 03:18 p.m.
Tracie K. Lindeman
Clerk of Supreme Court

J.W. BENTLEY and MARYANN
BENTLEY, TRUSTEES OF THE
BENTLEY FAMILY 1995 TRUST; JOY
SMITH; DANIEL BARDEN; and
ELAINE BARDEN,

**Supreme Court Case No. 64773
(Consolidated with Supreme Court
Case Nos. 66303 & 66932)**

**District Court Consolidated Case No.:
08-CV-0363-D1**

Appellants,

v.

STATE OF NEVADA, OFFICE OF THE
STATE ENGINEER; DONALD S.
FORRESTER; KRISTINA M.
FORRESTER; HALL RANCHES, LLC;
THOMAS J. SCYPHERS; KATHLEEN
M. SCYPHERS; FRANK SCHARO;
SHERIDAN CREEK EQUESTRIAN
CENTER, LLC; RONALD R.
MITCHELL; AND GINGER G.
MITCHELL,

Respondents.

J.W. BENTLEY AND MARYANN
BENTLEY, TRUSTEES OF THE
BENTLEY FAMILY 1995 TRUST; JOY
SMITH; DANIEL D. BARDEN; AND
ELAINE BARDEN,

Appellants.

v.

HALL RANCHES, LLC; THOMAS J.
SCYPHERS; KATHLEEN M.
SCYPHERS; FRANK SCHARO;
SHERIDAN CREEK EQUESTRIAN
CENTER, LLC, A NEVADA LIMITED
LIABILITY COMPANY; DONALD S.
FORRESTER; KRISTINA M.
FORRESTER; RONALD R.
MITCHELL; AND GINGER G.
MITCHELL,

Respondents.

1 J.W. BENTLEY AND MARYANN
2 BENTLEY, TRUSTEES OF THE
BENTLEY FAMILY 1995 TRUST,

3 Appellants,

4 v.

5 THE STATE OF NEVADA, STATE
6 ENGINEER; HALL RANCHES, LLC;
7 THOMAS J. SCYPHERS; KATHLEEN
8 M. SCYPHERS; FRANK SCHARO;
9 SHERIDAN CREEK EQUESTRIAN
CENTER, LLC; DONALD S.
FORRESTER; KRISTINA M.
FORRESTER; RONALD R.
MITCHELL; AND GINGER G.
MITCHELL,

10 Respondents.

11
12 **REQUEST FOR JUDICIAL NOTICE**

13
14 COME NOW Appellants, J.W. BENTLEY and MARYANN BENTLEY,
15 Trustees of the Bentley Family 1995 Trust ("Bentley"), by and through their counsel
16 of record, Matuska Law Offices, Ltd., Michael L. Matuska, pursuant to section
17 47.130 *et seq.* of the Nevada Revised Statutes ("NRS") and Rule 27 of the Nevada
18 Rules of Appellate Procedure ("NRAP") and hereby request judicial notice of the
19 following:
20

- 21
22 1. Notice of and Petition for Judicial Review (re: Permits 84309 and
23 84310) – Ninth Judicial District Court Case No. 13-CV-0043, a true
24 and correct copy of which is attached hereto as ***Exhibit 1***;
25
26 2. Permit to Change the Public Waters of the State of Nevada Heretofore
27 Appropriated - Permit No. 84309 provided by the Nevada State
28 Engineer, a true and correct copy is attached hereto as ***Exhibit 2***;

1 3. Permit to Change the Public Waters of the State of Nevada Heretofore
2 Appropriated - Permit No. 84310 provided by the Nevada State
3 Engineer, a true and correct copy is attached hereto as *Exhibit 3*.
4

5 Under NRS 47.130, this Court may take judicial notice of a fact when that
6 fact is “[c]apable of ready determination by resort to sources whose accuracy cannot
7 reasonably be questioned” so that the fact in question “is not subject to reasonable
8 dispute.” *See Sheriff, Clark County v. Kravetz*, 96 Nev. 919 920, 620 P.2. 868, 689
9 (1980). In this regard the Legislative, Judicial, and Executive branches of the
10 government of the State of Nevada are “sources whose accuracy cannot reasonably
11 be questioned,” and the fact of and content contained in the public records of the
12 government of the State of Nevada “is not subject to reasonable dispute” and may be
13 judicially notices. NRS 47.130; *see Ainsworth v. Combined Ins. Co.*, 105 Nev. 237,
14 267 n.20, 774 P.2d 1003, 1024 n.20 (1989) (taking judicial notice of the public
15 records in state district court proceedings); *Jory v. Bennight*, 91 Nev. 763, 766, 542
16 P.2d 1400, 1403 (1975) (taking judicial notice of the public records of the Nevada
17 Real Estate Division indicating that Edward Jory “was the officer licensed as broker
18 on behalf of the corporation”); *see also Chas. L. Harney, Inc. v. State*, 31 Cal.Rptr.
19 524, 529 (Ct. App. 1963) (taking judicial notice of the “official records and files of
20 the State Board of Control and of the office of the State Controller”).
21
22
23
24
25

26 ///

27 ///
28

1 In this case, the permits Bentley requests that this Court take judicial notice of
2 are official records of the Nevada State Engineer and the Ninth Judicial District
3 Court.
4


5 All of these records are public records and the facts in question are "not
6 subject to reasonable dispute." Therefore, this Court's judicial notice of these facts
7 and documents is appropriate.
8

9 Respectfully submitted,

10 Dated this 30 day of April 2015.

11 MATUSKA LAW OFFICES, LTD.

12 By:

13 
14 MICHAEL L. MATUSKA, SBN 5711
15 2310 South Carson Street, Suite 6
16 Carson City NV 89701
17 Attorneys for APPELLANTS,
18 J.W. BENTLEY and
19 MARYANN BENTLEY
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I certify that on the 3rd day of April 2015, I served a copy of this

REQUEST FOR JUDICIAL NOTICE upon all counsel of record:

☐ By personally serving it upon him/her; or

☒ By mailing it by first class mail with sufficient postage prepaid to the following address(es): (NOTE: If all names and addresses cannot fit below, please list names below and attach a separate sheet with the addresses.)

Bryan L. Stockton
Deputy Attorney General
100 North Carson Street
Carson City, NV 89701

Thomas J. Hall, Esq.
305 South Arlington Avenue
P.O. Box 3948
Reno NV 89505-3948

Jessica Prunty, Esq.
Dyer Lawrence Penrose Flaherty
Donaldson Prunty
2805 Mountain Street
Carson City NV 89703

Dated this 3rd day of April 2015.

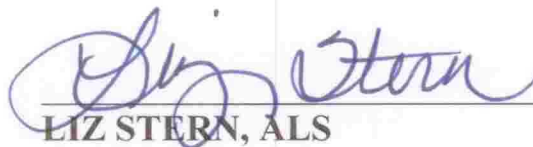

LIZ STERN, ALS

EXHIBIT 1

EXHIBIT 1

Case No.: 15-CV-0043

RECEIVED

FILED

Dept. No.: I

FEB 12 2015

2015 FEB 12 PM 4:50

Douglas County
District Court Clerk

BOBBIE R. WILLIAMS
CLERK

This document does not contain personal information of any person.

BY D. HECIMOVICH

THE NINTH JUDICIAL DISTRICT COURT OF NEVADA
IN AND FOR THE COUNTY OF DOUGLAS

J. W. Bentley and Mary Ann Bentley, Trustees of
the Bentley Family 1995 Trust

Petitioners,

vs,

State of Nevada, Office of the State Engineer,

Respondent.

NOTICE OF AND PETITION FOR JUDICIAL REVIEW
(Re: Permits 84309 and 84310)

COME NOW J.W. BENTLEY and MARYANN BENTLEY, Trustees of the Bentley Family 1995 Trust, by and through their undersigned counsel, and hereby petition this Court for judicial review of the State of Nevada, Office of the State Engineer's ("State Engineer") issuance of Permit Nos. 84309 and 84310 to Change the Public Waters of the State of Nevada Heretofore Appropriated issued on January 29, 2015, copies of which are attached hereto as **Exhibits "1"** and **"2"** and incorporated herein by reference. Notice of this petition is given pursuant to NRS 533.350 (3).

In support of this Petition, Petitioners allege as follows:

1. This Petition for Judicial Review is filed pursuant to NRS 533.450.

2. Jurisdiction and venue lies with this Court in that the streams that are the subject of the permits are located in Douglas County and subject to a decree entered by the Ninth Judicial District Court in Case No. 08-CV-0363 on September 29, 2014.

3. Petitioners are the joint owners of vested water rights, Proofs V-06305 and V-06306, to the waters of the North Diversion of Sheridan Creek and the commingled waters of Stutler Creek (collectively "North Sheridan Creek").

4. Petitioners have an interest in permit 7595, Certificate 1760, to the waters of Gansberg Springs, which are also commingled with the waters of the North Sheridan Creek.

5. On September 4, 2014, Petitioners submitted Application Nos. 84309 and 84310 to change the manner of use of the aforementioned proofs from irrigation to recreation purposes to maintain water levels in ponds for fish habitat – propagation.

6. The State Engineer approved the aforementioned applications on January 29, 2015, subject to conditions stated therein which require Petitioners to rotate their use of vested water rights and their interest in Permit 7595, Certificate 1760.

7. Petitioners do not agree with or consent to the Rotation Schedule.

8. Petitioners are aggrieved by the conditions of approval and the interest of Petitioners has been injured because the conditions impair their vested, certificated, and permitted water rights.

9. Petitioners are aggrieved by the Rotation Schedule as it is (a) in violation of constitutional or statutory provisions, (b) is in excess of the statutory authority of the State Engineer to impose, (c) is affected by other error of law, (d) is not supported by substantial evidence, and/or is arbitrary or capricious or characterized by abuse of discretion.

///

///

WHEREFORE, Petitioners pray for judgment as follows:

1. For an order declaring the permit conditions to be invalid insofar as they require Petitioners to rotate the use of their vested water rights and their interest in Permit 7595;
2. For an award of attorneys' fees and costs incurred by Petitioners in this proceeding; and
3. For such other and further relief as the Court deems just and proper.

Dated this 10th day of February 2015.

MATUSKA LAW OFFICES, LTD.

By: 

MICHAEL L. MATUSKA, SBN 5711

2310 South Carson Street, Suite 6
Carson City NV 89701

Attorneys for Petitioners, J.W. BENTLEY
and MARYANN BENTLEY, Trustees of
the Bentley Family 1995 Trust

CERTIFICATE OF SERVICE

Pursuant to NRC P 5(b), I certify that I am an employee of Matuska Law Offices, Ltd., and that on the 12th day of February 2015, I served a true and correct copy of the preceding document entitled **NOTICE OF AND PETITION FOR JUDICIAL REVIEW** addressed to:

Office of the State Engineer
Nevada Division of Water Resources
901 South Stewart Street, Suite 2002
Carson City NV 89701

Bryan L. Stockton
Deputy Attorney General
100 North Carson Street
Carson City NV 89701

☒ **BY U.S. MAIL:** I deposited for mailing in the United States mail, with postage fully prepaid, an envelope containing the above-identified document at Carson City, Nevada, in the ordinary course of business.

☐ **BY MESSENGER SERVICE:** I delivered the above-identified document to Reno-Carson Messenger Service for delivery to the offices of the addressee.

☐ **BY FACSIMILE:** I transmitted via facsimile from Matuska Law Offices, Ltd. the above-identified document in the ordinary course of business to the individual and facsimile numbers indicated.

☐ **BY EMAIL:** I transmitted via internet from Matuska Law Offices, Ltd. the above-identified document in the ordinary course of business to the individuals and email addresses indicated.

☐ **BY HAND DELIVERY:** I hand delivered an envelope containing the above-identified document to the addressee stated above, in the ordinary course of business.

☐ **BY FEDERAL EXPRESS OVERNIGHT DELIVERY.**


LIZ STERN, ALS

EXHIBIT 2

EXHIBIT 2



Permit No. 84309

THE STATE OF NEVADA

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

Name of Permittee: BENTLEY FAMILY TRUST
Source: STREAM (STUTLER CANYON CREEK)
Basin: CARSON VALLEY
Manner of Use: RECREATIONAL
Period of Use: APRIL 1ST THROUGH OCTOBER 15TH
Priority Date: 01/01/1905

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 and manner of use of the waters of Stutler Canyon Creek, as heretofore appropriated under Proof V06305 as appears in the Mott Creek, et. al. Decree, in the District Court of the Ninth Judicial District of the State of Nevada, in and for the County of Douglas, is issued subject to the terms, conditions and irrigation period imposed in said final decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

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 amount of water to be transferred shall consist of the full flow of Stutler Creek and the commingled waters of the north split of Sheridan Creek and Gansberg Spring in a rotation scheme of distribution. This water may be diverted during the time allotted to said proof V06305, consisting of 12.93 acres of water-righted ground. This permit is issued subject to the approval of the modified irrigation rotation schedule by the Ninth Judicial District Court of the State of Nevada In and For Douglas County, Case No. : 08-CV-0363-D; Dept. No. 1. These rights may be placed to use on the Bentley parcel and are subject to the same sharing agreement as set forth in the irrigation schedule mentioned above. Further, these rights may be shared as set forth under the modified rotation schedule.

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 0.04 cubic feet per second or 19.27 acre-feet seasonally.

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

January 29 2016


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

January 29 2016
N/A

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

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 January, 2015



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 **SEP 04 2014**

Returned to applicant for correction _____

Corrected application filed _____ Map filed **Sept 30 1096 under V06305** 1 of 3The applicant **Bentley Family Trust, James W. Bentley Trustee****853 Sheridan Lane**of **Gardnerville**

Street Address or PO Box

City or Town

Nevada, 89460

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 of Appropriation **V-06305**1. The source of water is **Stutler Canyon Creek**

Name of stream, lake, underground, spring or other sources

2. The amount of water to be changed **0.040 c.f.s [19.27 acre-feet seasonally]**

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Recreation**

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.)

In the SE 1/4 NE 1/4 of Section 16, T. 12 N., R. 19 E., M.D.B.&M., from which the SE corner of said Section 16 bears S. 7 deg. 10' 24" E., a distance of 2,892.59 feet. [See map filed under V06305]

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

No Change

RECEIVED
STATE ENGINEERS OFFICE
SEP - 4 PM 3:20

Carson Vallan
8-105
Dwyer

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

Within portions of the SW 1/4 NW 1/4, and the NW 1/4 SW 1/4 of Section 14, T. 12 N., R. 19 E., M.D.B.&M. [See map filed under 81985]

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.)

7.67 acres in the SW 1/4 NW 1/4 Section 14, T. 12 N., R. 19 E., M.D.B.&M., and
1.94 acres in the SE 1/4 NW 1/4 Section 14, T. 12 N., R. 19 E., M.D.B.&M., and
[9.61 acres total - see map accompanying this application and the Final Order of Determination for Mott Creek et al, page 107].

9. Proposed use will be from April 1 to October 15 of each year.
Month and Day Month and Day

10. Existing use permitted from April 1 to October 15 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.)

Head gate, pipeline, and ditches which are already in place.

12. Estimated cost of works \$0.0 - Already in Place

13. Estimated time required to construct works n/a - already in place

If well completed, describe well

14. Estimated time required to complete the application of water to beneficial use One Year

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.)

Diversion structure, conveyance ditches/pipelines, and fish ponds are currently installed. Water will be used on a continuous basis throughout the time of use.

16. Miscellaneous remarks:

Water will be used for Recreational Purposes. Applicant has two existing ponds - water will be used to maintain water levels in ponds for fish habitat - propagation. This base right is supplemental to V-06306 which has a similar change application filed at the same time as this change application.

michael@stankaconsulting.com

E-mail Address

(775) 885-9283

Phone No

Ext

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Michael Stanka, P.E., W.B.S.

Write or print name clearly

Signature, applicant or agent

Stanka Consulting, Ltd

Company Name

3032 Silver Sage Drive, Suite 101

Street Address or PO Box

Carson City, Nevada, 89701

City, State, ZIP Code

RECEIVED
2011 SEP - 4 PM 3:20
STATE ENGINEERS OFFICE

EXHIBIT 3

EXHIBIT 3



Permit No. 84310

THE STATE OF NEVADA

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

Name of Permittee: BENTLEY FAMILY TRUST
Source: STREAM (SHERIDAN CREEK)
Basin: CARSON VALLEY
Manner of Use: RECREATIONAL
Period of Use: APRIL 1ST THROUGH OCTOBER 15TH
Priority Date: 01/01/1905

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 and manner of use of the waters of Sheridan Creek, as heretofore appropriated under Proof V06306 as appears in the Mott Creek, et. al. Decree, in the District Court of the Ninth Judicial District of the State of Nevada, in and for the County of Douglas, is issued subject to the terms, conditions and irrigation period imposed in said final decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

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 amount of water to be transferred shall consist of the full flow of the northern split of Sheridan Creek and the commingled waters of Stutler Canyon Creek and Gansberg Spring in a rotation scheme of distribution. This water may be diverted during the time allotted to said Proof V06306, consisting of 12.93 acres of water-righted ground. This permit is issued subject to the approval of the modified irrigation rotation schedule by the Ninth Judicial District Court of the State of Nevada In and For Douglas County, Case No. : 08-CV-0363-D; Dept. No. 1. These rights may be placed to use on the Bentley parcel and are subject to the same sharing agreement as set forth in the irrigation schedule mentioned above. Further, these rights may be shared as set forth under the modified rotation schedule.

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 0.153 cubic feet per second or 51.72 acre-feet seasonally.

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

January 29 2016

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

January 29 2016
N/A

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

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 January, 2015



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

SEP 04 2014

Returned to applicant for correction

Corrected application filed

Map filed **Sept 30 1996** under **V06305 1 of 3**The applicant **Bentley Family Trust, James W. Bentley Trustee****853 Sheridan Lane**of **Gardnerville**

Street Address or PO Box

City or Town

Nevada, 89460

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.)

Proof of Appropriation V-063061. The source of water is **Sheridan Creek**

Name of stream, lake, underground, spring or other sources

2. The amount of water to be changed **0.153 c.f.s. [51.72 acre-feet seasonally]**

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Recreation**

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.)

In the NE 1/4 SE 1/4 of Section 15, T. 12 N., R. 19 E., M.D.B.&M., or at a point from which the SW corner of said Section 15 bears S. 72 deg. 20' 31" W., a distance of 5,412.47 feet. [See map filed under V06305].

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

No Change

RECEIVED
2014 SEP -4 PM 3:20
STATE ENGINEERS OFFICE

Carson Valley
8-105
Doyt

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

Within portions of the SW 1/4 NW 1/4, and the NW 1/4 SW 1/4 of Section 14, T. 12 N., R. 19 E., M.D.B.&M.
[See Map filed under 81985].

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.)

7.67 acres in the SW 1/4 NW 1/4 Section 14, T. 12 N., R. 19 E., M.D.B.&M., and
1.94 acres in the SE 1/4 NW 1/4 Section 14, T. 12 N., R. 19 E., M.D.B.&M., and
3.32 acres in the NW 1/4 SW 1/4 Section 14, T. 12 N., R. 19 E., M.D.B.&M.
[12.93 acres total - See map accompanying this application and Final Order of Determination for Mott Creek et al Page 108]

9. Proposed use will be from April 1 to October 15 of each year.
Month and Day Month and Day

10. Existing use permitted from April 1 to October 15 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.)

Head gate, pipeline, and ditches which are already in place.

12. Estimated cost of works \$0.0 - Already in Place

13. Estimated time required to construct works n/a - already in place

If well completed, describe well

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

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.)

Diversion structure, conveyance ditches/pipelines, and fish ponds are currently installed. Water will be used on a continuous basis throughout the time of use.

16. Miscellaneous remarks:

Water will be used for Recreational Purposes. Applicant has two existing ponds - water will be used to maintain water levels in ponds for fish habitat - propagation.

michael@stankaconsulting.com

E-mail Address

(775) 885-9283

Phone No

Ext

APPLICATION MUST BE SIGNED
 BY THE APPLICANT OR AGENT

Michael Stanka, P.E., W.R.S.

Type or print name clearly

Signature, applicant or agent

Stanka Consulting, Ltd.

Company Name

3032 Silver Sage Drive, Suite 101

Street Address or PO Box

Carson City Nevada, 89701

City, State, ZIP Code

RECEIVED
 2014 SEP -4 PM 3:20
 STATE ENGINEERS OFFICE