

FORM 1026

BEFORE THE STATE ENGINEER OF THE STATE OF NEVADA
APPLICATION FOR EXTENSION OF TIME FOR FILING PROOF OF
BENEFICIAL USE
**MANNER OF USE: COMMERCIAL, INDUSTRIAL, DOMESTIC,
RECREATION (NON-IRRIGATION) OR OTHER USES**

This Space for Office Use Only

PLEASE MAKE NOTE OF THE FOLLOWING INFORMATION

This Application for Extension of Time for filing **PROOF OF BENEFICIAL USE** is only to be utilized when your Proof of Completion of Work, if required, has been filed and approved by the Nevada Division of Water Resources (NDWR) and you are seeking additional time to place the permitted water to beneficial use. If a Proof of Completion has not been filed and approved by NDWR and an extension of time is needed, please instead complete the "APPLICATION FOR EXTENSION OF TIME FOR FILING PROOF OF COMPLETION OF WORK" form.

- A separate Application for Extension of Time is required for each water right.
- Fees paid by check must be made out to the "Nevada Division of Water Resources."
- The signed application and associated filing fees must be received by Nevada Division of Water Resources (NDWR) on or before the due date as set forth in the terms of the permit. If the application is made by mail, this form and associated filing fees must be mailed to the Nevada Division of Water Resources at 901 S. Stewart Street, Suite 2002, Carson City, Nevada 89701.

INSTRUCTIONS

Please note: If a Cultural Map is required under the terms of the permit, the Extension of Time for Proof of Beneficial Use (if granted) will automatically extend the due date for the Cultural Map.

If you also need to extend the due date for the Proof of Completion, please **only** complete the Application for Extension of Time for Proof of Completion. If granted, the Proof of Beneficial Use/Cultural Map due dates will be automatically extended to the same due date.

- Applications for Extension of Time are sworn affidavits. The name of the person submitting the form, as listed in Question 1, must match the signature at the end of the form. The name of a company may not be listed in this section. If the permittee is a company, trust, or other association, the person submitting the form is considered an "agent" regardless of their connection to the permittee.
- The current owner(s) of record of a water right as listed by NDWR can be found on the NDWR permit database at <http://water.nv.gov/permitsearch>. "Application number" is the same as "permit number." Current ownership information can be found on the fifth tab, "Ownership & Title."
 - Please be aware that ownership is not automatically updated with our office if a water right is sold or transferred and it is the responsibility of the new owner to fill out a Report of Conveyance. Forms are available online at <http://water.nv.gov/waterforms>.
- If a water right has multiple owners, an Application for Extension of Time may be filed on behalf of any or all of the owners. The application fee is \$120 per year requested per application regardless of how many owners the application is filed for.
- The maximum period of time which may be requested is **five years**. If more than one year is requested, please explain in detail the reason for requesting multiple years.
 - If an extension of time is either denied or granted for less time than was requested, fees will be excess remitted for the number of years requested which were not granted. Credit card processing fees from the online payment cannot be refunded.
 - If an extension of time is granted for multiple years and the relevant Proof is then submitted one or more years before the upcoming due date, the fees for the remaining year(s) will **NOT** be excess remitted.
- The expenditure on the project for the last year and the total to date does not need to be precise. Please provide your best estimate.

**\$120 FILING FEE PER YEAR FOR EACH YEAR REQUESTED MUST
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A SEPARATE APPLICATION MUST BE FILED FOR EACH PERMIT.**

- List the meter reading as displayed on the totalizing meter. Make sure to include the multiplier, if applicable, e.g. “x 100 gallons” or “x 0.001 acre-feet.” Please list the date on which the meter reading was recorded. If helpful, attach photographs of the meter cover and meter face.
 - If a meter is not required per the terms of the permit, describe the method for measuring the diversion of water to the place of use.
- Regardless of the method of calculating beneficial water use within the last 12 months, a numerical answer must be provided. This question is applicable to all water rights.
 - If a totalizing meter is installed, the easiest way to calculate the amount of water beneficially used within the last 12 months is by comparing this year’s meter reading to last year’s meter reading. Please be aware that it is the responsibility of the water right owner to record water use.
- NRS 533.380(3)(b) states that an Application for Extension of Time must in all cases be "Accompanied by proof and evidence of the good faith and reasonable diligence with which the applicant is pursuing the perfection of the application." Please provide **specific information that documents good faith, reasonable diligence and steady application of effort** to perfect the application. Highlight progress made during the previous year or years and submit any proof and evidence that documents reasonable diligence. If insufficient proof and evidence is provided, the extension may be subject to denial.
- NAC 533 states that when considering whether an applicant has demonstrated good faith and reasonable diligence to perfect an appropriation as required by NRS 533.380, the State Engineer will consider evidence of the applicant’s steady application of effort and other actions toward perfecting the appropriation in a reasonably expedient and efficient manner under all the facts and circumstances submitted by the applicant, including, without limitation:
 - (a) For all manners of use, as applicable: (1) The drilling and equipping of a well at the point of diversion; (2) The installation of a meter at the location of discharge of the well; (3) The installation of pipes or ditches to convey water to the place of use; (4) The installation of a headgate, weir, dam or other diversionary structure at the point of diversion; (5) The improvement of a spring; (6) The placement of a portion of the water to beneficial use in accordance with the terms of the permit to appropriate water; (7) Actions undertaken to complete the permitting or licensing requirements of any federal, state or local agency; and (8) Any other action considered by the State Engineer to constitute significant progress in the perfection of a water right;
 - (b) For commercial use, the construction of infrastructure and facilities;
 - (c) For construction use: (1) The number of trucks filled from a standpipe for dust control or compaction; and (2) The progress of all projects where the water for which the permit has been issued is used;
 - (d) For domestic use, any activity performed in preparation for the construction of a single family residence or an accessory dwelling unit, including, without limitation, drafting construction plans, applying for building permits, or securing easements;
 - (e) For industrial, utility, mining, milling or dewatering use, the construction of facilities, including, without limitation, foundations, buildings, power plants, processing plants, piping and instrumentation;
 - (i) For recreational use, the construction of any infrastructure necessary for recreational purposes.
- Please see NAC 533 for a complete list of extension application requirements, effective December 22, 2021.

An original signature is required for all paper application forms. Please ensure your contact information is current and legible.

Application for Extension of Time is on the next page

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1. This application is submitted by _____, the Permittee Agent
Name of person signing this form
2. Permit number: _____
3. Is this application for extension of time being submitted following a hearing for review of cancelled permit?
Yes No
4. Source: Underground Surface Water
If Surface Water, please identify the name of the spring, creek, river, etc.: _____
5. Current owner(s) of record in the Nevada Division of Water Resources (NDWR):

6. Are you, or are you representing, the current owner(s) of record of this permit? Yes No (If "Yes," proceed to Question 7.)

If you are not the current owner(s) of record, has a Report of Conveyance been filed with NDWR? Yes No

If "Yes," when was the Report of Conveyance filed with NDWR? _____

If "No," please provide an explanation as to why the Report of Conveyance has not been filed with NDWR. *Include additional pages if necessary.*
7. Does this permit have multiple owners? Yes No
If the permit has multiple owners, on whose behalf is this Application being filed?

All Portion _____
Name(s) of owners for which this application is filed
8. The permittee requests an extension of time for _____ year(s) within which to comply with the provisions for filing the Proof of Beneficial Use. **Please see the instructions for more information.**

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9. Provide an explanation for the amount of time requested, with specific reasons for multiple years if more than one year is being requested. *Include additional pages if necessary.*
10. What year do you expect to file the Proof of Beneficial Use? _____
11. Provide a written summary of each prior application for extension of time filed for this permit since December 22, 2021, including the number of years granted by NDWR under the prior extension(s). *Include additional pages if necessary.*
12. What is the expenditure on the project under this permit?
a. During the prior extension of time period (if applicable): _____
b. Total to date: _____
13. Are there any other water rights associated with this place of use and/or point of diversion? Yes No
14. Totalizing Meter Reading: _____ acre-feet gallons
List the date on which the totalizing meter was read: _____
If not metered, please describe the method for measuring the diversion of water:
15. If the permitted manner of use is **Construction**, please list the number of trucks filled in the last 12 months: _____
16. If the permitted manner of use is **Commercial or Industrial**, please describe your current project or business and current water use. *Include additional pages if necessary.*

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17. Provide a detailed written summary of all work performed during the last extension period and provide evidence of this work. (Evidence may include, without limitation: receipts, photographs, construction plans, or any other evidence of reasonable diligence in the construction of diversion works.) *Include additional pages if necessary.*

18. If applicable, please explain why any planned work for the last extension period was not completed. *Include additional pages if necessary.*

19. Provide a written summary of all work performed by the Applicant and any prior owner of the permit (if applicable) to perfect this appropriation of water under this Permit, starting from the date of approval of the permit. *Include additional pages if necessary.*

20. Provide a detailed written explanation of the work the applicant expects to be performed within the requested time period if this extension is granted. *Include additional pages if necessary.*

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21. If any adverse conditions exist that are delaying the project or the submission of the Proof of Beneficial Use, provide a written explanation. *Include additional pages if necessary.*

22. Provide any additional information you believe to be relevant to the consideration of this Application for Extension of Time not otherwise addressed in the preceding pages. *Include additional pages if necessary.*

Pursuant to NRS 53.045, I hereby certify, under penalty of perjury of the laws of the State of Nevada, that the foregoing is true and correct.

Dated this ____ day of _____, 20____

By: _____

Permittee or Agent

Address: _____

City: _____ State: _____ Zip Code: _____

Telephone: _____

Email: _____

Nevada Division of Water Resources 901 S. Stewart Street, Suite 2002, Carson City, Nevada 89701

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