

INSTRUCTIONS FOR COMPLETING THE PROOF OF APPLICATION OF WATER TO BENEFICIAL USE FORM

GENERAL INSTRUCTIONS

One Proof of Application of Water to Beneficial Use (PBU) form must be filed for each permit that you intend to prove beneficial use. A \$60.00 filing fee must accompany each PBU.

Prior to completing the PBU form, it is useful to review the permit, the terms upon which the permit was issued, and the previously filed Proof of Completion of Work. A copy of the permit and supporting map(s) may be obtained from the State Engineer's website at <http://water.nv.gov>. A copy of the Proof of Completion of Work may be obtained by calling the State Engineer's office at (775) 684-2800.

SELECTING THE CORRECT FORM

There is a different form for each main category of manner of use. The first eleven questions are the same on every form, but then questions become specific to certain manners of use. Select the form based on the manner of use of your permit. If you are uncertain which form you need, please contact the State Engineer's office at (775) 684-2800.

The forms are located here:

<http://water.nv.gov/forms/>

The specific forms are here:

[Irrigation and Recreation \(Irrigation\) Purposes](#)

[Stockwater or Wildlife Purposes](#)

[Mining, Milling, and/or Dewatering Purposes or Power Purposes](#)

[Commercial, Industrial, Municipal, Quasi-municipal \(QM\), Domestic, Recreation \(Non-Irrigation\), and Other Purposes.](#)

INSTRUCTIONS FOR ALL FORMS

HEADING – The permit number must be entered. A separate PBU is required for each permit.

QUESTION 1 – Enter the name of the person filing the Proof. The name under Question 1 must be the same as the person signing the Proof before the notary as shown on Page 2 of the application.

QUESTION 2 – Enter whether the person named in Question 1 is the Permittee or is acting as an agent for the Permittee. If acting as an agent, please state your relationship to the Permittee (for example: water right surveyor, attorney, manager, lessee, etc.).

QUESTION 3 – Enter the current owner of record as shown in the records of the State Engineer. Please mention if a Report of Conveyance updating ownership is pending confirmation in this office. If there are multiple owners of record, and this is not being filed on behalf of all owners, only list those owners for whom this proof is being filed.

QUESTION 4 – Enter the source of the water. For a named lake, stream or spring, give the name.

QUESTION 5 – Indicate whether the water is being diverted from the same point as described in the permit. If not, describe the point of diversion (POD) as within a 40-acre legal subdivision (1/16th section) or government lot and tie by bearing and distance to an established section corner, quarter corner, or 1/16th corner. If the land is unsurveyed, it should be so stated. Please note that the “as built” well location for an underground source must be within 300 feet of the permitted location and must lie within the permitted quarter-quarter. For a surface source, the “as built” location should match the permitted location. Please contact the State Engineer’s office for guidance if the “as built” POD does not lie within these limits.

QUESTION 6 – Indicate whether the works of diversion are the same as filed in the Proof of Completion for this permit or if they are different. If they are the same, then Question 7 can be skipped. If they are different, then Question 7 must be answered.

QUESTION 7 – If the works are different than the Proof of Completion please complete 7a for an underground source and 7b for a surface water source.

QUESTION 7A – Groundwater: Describe the depth of the well casing, the diameter of the well casing, provide the well log number, and describe the pump and motor.

QUESTION 7B - Surface water: Provide the name of the canal, a description of the spring box, and/or the dimensions of ditches pipes or other conduits.

QUESTION 8 – The terms of the permit will state whether a totalizing meter or other measuring device is required. Review the permit and answer this question appropriately. If a totalizing meter has been installed, answer Question 8a.

QUESTION 8A – If a totalizing meter has been installed, provide the serial number and manufacturer of the meter, the date the meter was installed, the meter reading on the date the meter was installed, the units the meter reads in (e.g. gallons, acre-feet, etc.) and the multiplier if the units have one (e.g. x 1000, x 0.001, etc.).

QUESTION 8B – When a headgate, weir or flume is used to measure water use, specify the type, size and location of the measuring device, and submit the record of measurements and

corresponding flow rates. Give the name of the person making the measurements and the date of each measurement. Measurements must be made each time the flow rate changes. The flow rates must be converted to the seasonal or annual duty used. For a measuring device not discussed above, give a description of the method used to measure the quantity of water placed to beneficial use. For example, size and number of water trucks filled, or operating specifications for an irrigation system with required flow rate, hours of operation, and metered power usage.

QUESTION 9A – Enter the actual diversion rate that the works of diversion delivers water from the source. Report the rate in cubic feet per second or gallons per minute. For an underground source through a pump, diversion rate can be determined from a pump test (a test of the actual pump in the well, not the “pump test” done by the well driller utilizing the drilling rig); by meter; or by measuring the time required to pump a known quantity of water. For surface water, refer to “Common Methods of Measuring Water as Practiced in Western States” available on the State Engineer’s web site <http://water.nv.gov>.

QUESTION 9B – For the diversion rate given under Question 9a, state the name of the person that made the measurement

QUESTION 9C – For the diversion rate given under Question 9a, state the date the measurement took place.

QUESTION 9D – For the diversion rate given under question 9a, state the method in which the measurement was taken.

QUESTION 10 – State the quantity of water, in acre-feet annually or acre-feet per season, for which the Proof of Beneficial Use is being filed. If a totalizing meter is installed, then actual meter readings are required. The meter readings should cover a minimum of 12 consecutive months, and the readings submitted must have been taken within a four year period prior to the submission of the Proof. The record submitted should include the meter reading with units, the name of the person reading the meter, and the date of each measurement.

QUESTION 11 – State the dates during any given year, between which water has been used beneficially. If the terms of the permit allow annual use, enter “January 1 to December 31”. For surface water distributed under the terms of a decree, “as decreed” may be entered.

To complete the remaining questions on the form, go to the section below that has the same title as the PBU form you are completing.

The Proof of Application of Water to Beneficial Use is a *notarized affidavit*; therefore, the PBU form must have the original signature of the affiant signed before a notary. Please be sure the notary has affixed their seal to, and properly signed, the affidavit.

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE FOR IRRIGATION OR RECREATION (IRRIGATION) PURPOSES

QUESTION 12 – Enter the total number of acres that are being irrigated with water under the subject permit.

QUESTION 13 – State the number of acres irrigated within each 40-acre legal subdivision. List only acreage upon which water has been used beneficially under this permit. Please note that the acreage listed by legal subdivision must add up to the total acreage as shown under Question 12, and the acreage listed must agree with the acreage illustrated on the cultural map.

QUESTION 14 – State the manner of irrigation. For example: flood, wheel line, center pivot, or drip.

QUESTION 15 – List the type(s) of culture that was produced on the land that was irrigated under the permit. It is not necessary to match the culture to the acreage in this question, but the culture described should be consistent with the cultural table on the supporting map.

QUESTION 16 – If you obtain irrigation water for use on the acreage listed above from any source other than this permit, please describe the other source (s). This includes water obtained from irrigation districts, streams, springs, effluent or from other wells. Give permit, certificate or claim numbers for the additional sources.

QUESTION 17A – If a secondary manner of use of the water exists, state that use (e.g. domestic). *Please note that a secondary manner of use of the water must be allowed by the permit.*

QUESTION 17B – If a secondary use was indicated in Question 17a, provide a detailed description of how that secondary use was placed to beneficial use. For example, a domestic use description might read “a mobile home, landscaping and small garden” or “a single family residence and associated landscaping.”

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE FOR STOCKWATER OR WILDLIFE PURPOSES

QUESTION 12 – Fully describe the works of diversion and the system by which the water is distributed and/or stored for use. This information is in addition to the information requested in Question 5. Give the dimensions and construction material of any dam, storage tank, pipe or trough. For example, a description might read “the water discharges from the well through a two-inch diameter pipe and travels about 20 feet through the pipe to a 20-foot diameter stock tank.”

QUESTION 13 – State the number and kind of animals watered, or provide a description of how the water was otherwise placed to beneficial use. For example, the description might read “two hundred head of cattle and five hundred sheep” or “25 deer, 12 antelope, and numerous bird species.”

QUESTION 14 – State the name of the Grazing Allotment if the place of use is on public land and the public agency that administers the land.

Submit proof from the public agency of permission to access the public land.

A public agency may use this question to describe herd management areas, wildlife refuges, or other descriptions that better define the place of use.

QUESTION 15A – If a secondary manner of use of the water exists, state that use (e.g. domestic). *Please note that a secondary manner of use of the water must be allowed by the permit.*

QUESTION 15B – If a secondary use was indicated in Question 15a, provide a detailed description of how that secondary use was placed to beneficial use. For example, a domestic use description might read “a mobile home, landscaping and small garden” or “a single family residence and associated landscaping.”

PLEASE NOTE: For stockwater purposes, an affidavit from the owner of record attesting to proprietary interest in the livestock and access to the place of use is required. The form for the affidavit is located here: http://water.nv.gov/forms/forms09/Affidavit_SW_Certificate.pdf

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE FOR MINING, MILLING, DEWATERING OR POWER PURPOSES

QUESTION 12A – If the water being placed to beneficial use is conveyed by a ditch, pipe or flume, state the carrying capacity of the conduit in cubic feet per second.

QUESTION 12B – If the water being placed to beneficial use is conveyed by a ditch, pipe or flume, state the length of the conduit.

QUESTION 12C – If the water being placed to beneficial use is conveyed by a ditch, pipe or flume, give the average grade of the conduit or give the difference in elevation between the termini of the conduit.

QUESTION 13 – Provide annual consumption figures, including hours per day and days per year in which the water is diverted.

QUESTION 14 – If any of the diverted water is re-injected or infiltrated, state the percentage and fully describe the re-injection or infiltration project. If any of the diverted water is discharged to the surface, state the quantity discharged, describe the discharge system, and give the name of any natural watercourse receiving discharged water.

QUESTION 15A – If a secondary manner of use of the water exists, state that use (e.g. domestic). *Please note that a secondary manner of use of the water must be allowed by the permit.*

QUESTION 15B – If a secondary use was indicated in Question 15a, provide a detailed description of how that secondary use was placed to beneficial use. For example, a domestic use description might read “a mobile home, landscaping and small garden” or “a single family residence and associated landscaping.”

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE FOR COMMERCIAL, INDUSTRIAL, MUNICIPAL, QUASI-MUNICIPAL, DOMESTIC, RECREATION (NON-IRRIGATION) OR OTHER PURPOSES

QUESTION 12 – Describe fully the manner and place of use. The description must include the type and number of units being served. If more than one type of unit is being served under this permit, give the approximate amount of water used by each distinct unit. For example, if a QM permit were used for a house, guest house, and elaborate landscaping with water features, the landscaping might account for 90% of the water use.

For example, a commercial use might be described as follows: “water from the well is pumped to a 100-gallon pressure tank serving a filling station, restaurant, and convenience store located within NE¼ NE¼ Section 10, T10N, R10E, being APN 123-456-789.”

For another example, a municipal use might be described as follows: “this permit serves the Verdant Acres Subdivision (47.5 AFA, or 95%) and a commercial business at APN 123-456-789 (2.5 AFA or 5%). See subdivision review letter 1234-F. See attached aerials demonstrating full build-out of the subdivision.”

QUESTION 13 – If the permit is for quasi-municipal service for 16 or fewer connections, list the lots that are being served by the water under the permit by Assessor’s Parcel Number (APN). If the APN is not available, provide the parcel description on the subdivision map recorded with the county.

QUESTION 14 – Include any additional information that is important for a full description of the beneficial use of the water. If this Proof is being filed by an agent, did the agent physically inspect the site? If not, please indicate how the agent obtained the information in this Proof. For example, an industrial process might explain that the beneficial use was for make-up water for a chemical processing plant.

QUESTION 15A – If a secondary manner of use of the water exists, state that use (e.g. domestic). *Please note that a secondary manner of use of the water must be allowed by the permit.*

QUESTION 15B – If a secondary use was indicated in Question 15a, provide a detailed description of how that secondary use was placed to beneficial use. For example, a domestic use description might read “a mobile home, landscaping and small garden” or “a single family residence and associated landscaping.”