ASSIGNED

AMENDED

Serial No. 12488

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.

Date of first receipt and filing in State Engineer's office JUN 10 1948

Returned to applicant for correction OCT 25 1948

Corrected application filed NOV 12 1948

The undersigned Arthur E. Gray & Agnes Leinsteiner (Name of applicant.)

of P. O. Box 66, Beatty, County of Nye

State of Nevada, hereby makes application for permission to change the point of diversion and place of use

of water heretofore appropriated under permit No. 757 Certificate No. 565 Book 1 (State nature of right that is the basis of this application, *i. e.*, vested, decreed or permitted right.)

1. The source of water supply is Hot Springs

2. The quantity of water desired to be changed 1.0 c.f.s. (Acre feet, second feet.)

3. The water is to be used for irrigation, bathing and domestic purposes

4. The water heretofore used for irrigation, bathing and domestic

5. Place of use under existing appropriation 18.0 acres in SW¼ SE¼ Section 16, T. 11 N., R. 47 E., M.D.B.&M. and for bathing and domestic purposes in same subdivision (Under irrigation give number acres and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)

6. Proposed place of use under this application SW¼SE¼ Sec. 16, T. 11 S., R. 47 E., MDM., and NW¼ NE¼ Sec. 21, T. 11 S., R. 47 E., MDM. also portion of the E½ NE¼ Section 21, T. 11 S., R. 47 E. (Under irrigation give number of acres and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)

7. The water is to be diverted from its source at the following point: SW¼ SE¼ Sec. 16, T. 11 S., R. 47 E., MDM., whence the SE Cor. of said Section 16, bears S. 74° 30' E., 1820 feet. (Describe as being within a 40-acre subdivision of public survey or by course and distance to a section corner.)

8. The existing point of diversion under the former appropriation is as follows: SW¼ SE¼ Section 16, T. 11 N., R. 47 E. M.D.B.&M. (If point of diversion is not changed do not answer.)

9. Number and kind of animals proposed to be watered

10. Use will begin about Jan 1 (Month) and end about Dec. 31 (Month) of each year.

11. The water has been used heretofore during the months of January 1 to December of each year

12. Remarks This application is made to correct an error in Application No. 757. This application places the location as being in T. 11 N. R. 47 E., and it should have been T. 11 S., R. 47 E. Water under this application will also supplement the water for lands covered by Application No. 12489 by improving the irrigation system

13. Description of proposed works A system of ditches for irrigation and a system of pipe lines for domestic purposes

14. Estimated cost of works works already installed

15. Estimated time required to construct the works is 15 years

Map Filed SEP 13 1948

Compared HE-AT

Arthur E. Gray & Agnes Leinstein Applicant

By Ed. S. Giles agent,
Box 666 Goldfield, Nevada.

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 the waters of Hot Springs as heretofore granted under Permit No. 757, which is the subject of Certificate of Appropriation No. 565, is issued subject to the terms and conditions imposed in said Permit No. 757 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial head-gate and weir must be installed at or near the new point of diversion to facilitate the measurement and control of water. The State retains the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic foot per second.

Actual construction work shall begin on or before August 24, 1950

Proof of commencement of work shall be filed before September 24, 1950

Work must be prosecuted with reasonable diligence and be completed on or before August 24, 1951

Proof of completion of work shall be filed before September 24, 1951

Application of water to beneficial use shall be made on or before August 24, 1952. Proof of the application of water to beneficial use must be filed with State Engineer on or before September 24, 1952

Proof of commencement of work filed JUN 23 1950
Proof of Completion of work filed JUN 23 1950
PROOF OF BENEFICIAL USE FILED AUG 3 1951

WITNESS MY HAND AND SEAL this 16th day of May, 1950

ALFRED MERRITT SMITH
State Engineer

By

HUGH A. SHAMBERGER
Assistant State Engineer

Certificate No. 3200 Issued 9/24/51 for 1.00 cfs Irr., Bathing & Dom.
Recorded 9/25/51 Bk 2 Page 287
Nye County Records