ASSIGNED 21 45

AMENDED

Serial No.

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 filing in State Engineer's Office JAN 13 1964

Returned to applicant for correction JAN 21 1964

Corrected application filed JAN 30 1964 Map filed JAN 13 1964

The applicant David A. Witts

of Dallas, County of Dallas

State of Texas, hereby makes application for permission to change the

Place and manner of use and point of diversion

of water heretofore appropriated under Permit 2452--Certificate 5279 (a portion of)

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Geyser Creek & tributary Mill Canyon Creek
(Name of stream, lake or other source.)

2. The amount of water to be changed 0.054 c.f.s., but not to exceed 22.9 ac.ft. per season
(Second feet, acre feet.)

3. The water to be used for Irrigation and domestic
(If for stock state number and kind of animals.)

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 NW¼ NW¼ Sec. 1, T. 9 N., R. 65 E., M.D.B. & M., or at a point from which the NW corner of Sec. 1 bears N. 70° 49' W., 980.0 feet.
(Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)

6. The existing point of diversion is located within NW¼ NW¼ Section 1, T. 9 N., R. 65 E., M.D.B. & M. (no course and distance.)
(If point of diversion is not changed, do not answer.)

7. Proposed place of use NW¼ NW¼ Section 6, T. 9 N., R. 66 E., M.D.B.&M., containing 10.8 acres.
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

8. Existing place of use 3.1 acres in the NE¼ SW¼ Sec. 36, T. 10 N., R. 65 E., M.D.B.&M.
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)

7.7 acres in the SE¼ SW¼ Sec. 36, T. 10 N., R. 65 E., M.D.B.&M.

9. Use will be from April 15th (Month) to November 15th (Month) of each year.

10. Use has been from April 15th (Month) to November 15th (Month) of each year.

11. Description of proposed works.

water to be stored in a reservoir and diverted through open ditches

(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)

to place of use.

(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

12. Estimated cost of works $250.00

13. Estimated time required to construct works 3 years

14. Remarks Purpose of Application is to transfer water rights to patented land owned by the applicant.

Compared awb/hs hs/jw

Applicant s/David A. Witts

By s/Robert W. Millard

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, manner and place of use of the waters of Geyser Creek and Tributary Mill Canyon Creek as heretofore granted under Permit 2452, Certificate 5279 is issued subject to the terms and conditions imposed in said Permit 2452, Certificate 5279 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times. The total duty of water under this permit shall not exceed 22.9 acre-feet per season.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.054 cubic feet per second, but not to exceed a seasonal duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before January 19, 1969

Proof of commencement of work shall be filed before February 19, 1969

Work must be prosecuted with reasonable diligence and be completed on or before January 19, 1970

Proof of completion of work shall be filed before February 19, 1970

Application of water to beneficial use shall be made on or before January 19, 1971

Proof of the application of water to beneficial use shall be filed on or before February 19, 1971

Map in support of proof of beneficial use shall be filed on or before February 19, 1971

Commencement of work filed MAR 5, 1969
Completion of work filed MAR 5, 1969
Proof of beneficial use filed APR 29 1971
Cultural map filed April 29, 1971 under 21744
Certificate No. 7708 Issued 2-10-72
Recorded 2-16-72 Bk. 3 Page 486

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WITNESS MY HAND AND SEAL this 19th day of July, 1968

State Engineer