

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 JUN 17 1966

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUN 13 1966 under 17177

The applicant FRANK SEMINARIO and SEVERINA SEMINARIO, his wife of _____, County of Esmeralda

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

Point of diversion

of water heretofore appropriated under Application No. 17177

(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 Chiatovich Creek
(Name of stream, lake or other source.)

2. The amount of water to be changed 25.80
(Second feet, acre feet.)

3. The water to be used for Irrigation
(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 in the NW 1/4 of the SW 1/4 of Section 28 T. 1 S., R. 35 E., M.D.B. & M., at a point from which the SW corner of said Section 28 bears S 19° 56' W, 2740 feet distant.
(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 the NW 1/4 of the SE 1/4 of Section 30 T. 1 S., R. 35 E., M.D.B. & M., or at a point from which the east quarter corner of Section 30 bears N 78° 25' E., 1461 feet
(If point of diversion is not changed, do not answer.)

7. Proposed place of use The within application is an application to change the point of diversion, but not to change the place of use. The place of use remains unchanged. The place of use is as set forth in Exhibit "A" attached hereto and incorporated herein by reference.
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

8. Existing place of use The within application is an application to change the point of diversion but not to change the place of use. The place of use remains unchanged. The place of use is as set forth in Exhibit "A" attached hereto and incorporated herein by reference.
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)

9. Use will be from January 1st to December 31st of each year.
(Month) (Month)

10. Use has been from January to December of each year.
(Month) (Month)

11. Description of proposed works.

Concrete diversion structure and ditch to reservoir then by

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

pipe line to fields

(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 Ten Thousand Dollars (\$10,000.00)

13. Estimated time required to construct works One (1) year

14. Remarks Works of diversion are, for all practical purposes, completed.

It may be desired to make a couple of revisions at the point of

diversion to improve it.

FRANK SEMINARIO

Compared kd/hs/jw

Applicant

SEVERINA SEMINARIO

By S/Edward C. Reed

Edward C. Reed, Jr., their attorney

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 of the waters of Chiatovich Creek as heretofore granted under Permit 17177 is issued subject to the terms and conditions imposed in said Permit 17177 and with the understanding that no other rights on the source will be affected by the change proposed herein. The State reserves 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 25.80 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before October 13, 1967

Proof of commencement of work shall be filed before November 13, 1967

Work must be prosecuted with reasonable diligence and be completed on or before October 13, 1968

Proof of completion of work shall be filed before November 13, 1968

Application of water to beneficial use shall be made on or before October 13, 1969

Proof of the application of water to beneficial use shall be filed on or before November 13, 1969

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

Commencement of work filed Nov 8, 1967

IN TESTIMONY WHEREOF, I, GEORGE W. HENNEN

Completion of work filed DEC 4, 1968

State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed APR 9, 1969

my office, this 13th day of April

Cultural map filed July 13, 1966 under 17177

Certificate No. 7198 Issued 11-7-69 A.D. 19 67

Recorded 11-21-69 Bk 4-C Page 555-556

Signature of Assistant State Engineer

2407
Abrogated By 38424 2 OSC's
4523 2A73C.R.E.

TABULATION OF THE IRRIGATION ACREAGE ON THE ARLEMONT RANCH IN FISH LAKE VALLEY, NEV.

Section 27, T. 1 S., R. 35 E., M.D.B. & M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$	15.30 Acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.20 "
NW $\frac{1}{4}$ NW $\frac{1}{4}$	10.75 "
SE $\frac{1}{4}$ SE $\frac{1}{4}$	15.20 "
NE $\frac{1}{4}$ SE $\frac{1}{4}$	22.28 "
NW $\frac{1}{4}$ SE $\frac{1}{4}$	16.68 "
total	<u>98.41 "</u>

Sec. 28, T. 1 S., R. 35 E., M.D.B. & M.

SE $\frac{1}{4}$ NE $\frac{1}{4}$	5.15 Acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$	4.15 "
NW $\frac{1}{4}$ SE $\frac{1}{4}$	3.40 "
NE $\frac{1}{4}$ SE $\frac{1}{4}$	6.50 "
total	<u>19.20 "</u>

Section 35, T. 1 S., R. 35 E., M.D.B. & M.

NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00 Acres
NW $\frac{1}{4}$ NE $\frac{1}{4}$	22.80 "
total	<u>62.80 "</u>

Section 36, T. 1 S., R. 35 E., M.D.B. & M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.00 Acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	17.46 "
total	<u>57.46 "</u>

TOTAL DIVERSIFIED 965.67 Acres

TOTAL ACRES IRRIGATED 1,561.00

EXHIBIT "A"