

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.....

Returned to applicant for correction.....

Corrected application filed..... Map filed.....

The applicant Marvin C. Kellar of Cisco, County of Eastland

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

of water heretofore appropriated under Permit 21999

(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 Underground (Name of stream, lake or other source.)

2. The amount of water to be changed 5.4 c.f.s. (Second feet, acre feet.)

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

4. The water heretofore used for Irrigation & Domestic (If for stock state number and kind of animals.)

5. The water is to be diverted at the following point in the SE 1/4 NE 1/4 Sec.26 T21N,R63E, MDB&M at a point from which the SE corner said Sec.26 bears S.22°48'37"E 3359.25 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 NE 1/4 NE 1/4 Sec.35 T21N,R63E, MDB&M at a point from which the NE corner said Sec.35 bears N 44°42'E, 1720 feet distant. (If point of diversion is not changed, do not answer.)

7. Proposed place of use SW 1/4 NW 1/4 Except the north 200' thereof and the W 1/2 SW 1/4 Sec.25, SE 1/4 NE 1/4 and E 1/2 SE 1/4 Sec.26; NE 1/4 NE 1/4 Sec.35; and NW 1/4 NW 1/4 Sec.36; all of which are in T.21N, R 63E, MDB&M comprising approximately 320 acres. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

8. Existing place of use SW 1/4 NW 1/4 except the north 200' thereof and the W 1/2 SW 1/4 Sec.25; SE 1/4 NE 1/4 and E 1/2 SE 1/4 Sec.26; NE 1/4 NE 1/4 Sec.35; and NW 1/4 NW 1/4 Sec.36; all of which are in T 21N, R 63 E, MDB&M, comprising approximately 320 acres (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 1st to December 31st of each year. (Month) (Month)

11. Description of proposed works.

It is proposed to drill, case and equip an irrigation

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

well at location shown on map.

(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 \$12,500.00

13. Estimated time required to construct works three (3) years

14. Remarks work herein proposed is similar to that covered by #21999.

Compared ja/hs hs/kd

Applicant S/Marvin C Kellar

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 of the waters of an underground source as heretofore granted under Permit 21999 is issued subject to the terms and conditions imposed in said Permit 21999 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening, an air line and a weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. 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 5.4 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 June 14, 1967

Proof of commencement of work shall be filed before July 14, 1967

Work must be prosecuted with reasonable diligence and be completed on or before June 14, 1968

Proof of completion of work shall be filed before July 14, 1968

Application of water to beneficial use shall be made on or before June 14, 1971

Proof of the application of water to beneficial use shall be filed on or before July 14, 1971

Map in support of proof of beneficial use shall be filed on or before July 14, 1971

Commencement of work filed July 3, 1967

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

Recorded AUG 14 1969 Page

IN TESTIMONY WHEREOF, I GEORGE W. HENNEN State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 14th day of December

A.D. 19 66 Roland P. Westergaard Assistant State Engineer

CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT STATE ENGINEER