

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 OCT 21 1966

Returned to applicant for correction DEC 7 1966

Corrected application filed FEB 6 1967 Map filed FEB 6 1967

The applicant O. V. Bennett, Jr. of Lubbock, County of Lubbock

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

Point of Diversion and Place of Use of a portion

of water heretofore appropriated under 19331

(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 2.2 cfs. (1/2 of 4.4 previously appropriated). (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 SW 1/4 SE 1/4 Sec. 33, T. 3 S., R. 55 E., M.D.M. or at a point from which the SE cor. of said Sec. 33 bears S. 45° 08' E., a distance of 1871 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 or at a point from which the SW 1/4 of said Sec. 33 bears S. 49° 14' W., a distance of 398 ft. The tie shown under permit 19331 was "At a point from which the NE cor. of Sec. 36, T. 3 S., R. 55 E., M.D.B. & M., bears N. 76° 09' E., a distance of 21,649 ft." The tie was made prior to the dependent re-survey of 1964. (If point of diversion is not changed, do not answer.)

7. Proposed place of use SE 1/4 Sec. 33, T. 3 S., R. 55 E., MDM (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

8. Existing place of use S 1/2 Sec. 33, T. 3 S., R. 55 E., M.D.M. (Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)

9. Use will be from Jan. 1 to Dec. 31 of each year. (Month) (Month)

10. Use has been from Jan. 1 to Dec. 31 of each year. (Month) (Month)

11. Description of proposed works.

Driven well, pump, engine, valley irrigation system.

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

(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 \$20,000.00

13. Estimated time required to construct works 1 year

14. Remarks 1/2 of the water heretofore appropriated under Permit No. 19331 is to be changed to the new pt. of diversion, and 1/2 of the lands previously irrigated under 19331 are to be irrigated from the new pt. of diversion. It is desired to change the pt. of diversion of 1/2 of the water to irrigate 1/2 of the land heretofore appropriated in order to change the system of irrigation from flooding to valley sprinkler system.

Compared hs hs/jw

Applicant O. V. Bennett, Jr.

By s/ James C. Perkins, Jr.

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, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 19331 is issued subject to the terms and conditions imposed in said Permit 19331 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. AMENDED PERMIT corrects the acre-feet to 5.0.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.2 cubic feet per second, but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

- Actual construction work shall begin on or before December 9, 1967
Proof of commencement of work shall be filed before January 9, 1968
Work must be prosecuted with reasonable diligence and be completed on or before December 9, 1968
Proof of completion of work shall be filed before January 9, 1969
Application of water to beneficial use shall be made on or before December 9, 1970
Proof of the application of water to beneficial use shall be filed on or before January 9, 1971
Map in support of proof of beneficial use shall be filed on or before January 9, 1971

Commencement of work filed Jan. 22, 1968
Completion of work filed JAN. 22, 1969
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued A.D. 1967
Recorded Bk. Page

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD Acting State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of June

CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
FEB 12 1971
Roland D. Westergard STATE ENGINEER