

AMENDED APPLICATION  
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 5 1967

Returned to applicant for correction JUN 29 1967

Corrected application filed JUL 13 1967 Map filed JUL 14 1967

The applicant John M. Marble  
of 71 Ranch, Deeth, County of Elko

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. 3729 (Certificate No. 709)

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

2. The amount of water to be changed 0.9454 cfs. (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 and domestic (If for stock state number and kind of animals.)

5. The water is to be diverted at the following point NE 1/4 NE 1/4 Section 28, T. 35 N.,  
R. 59 E., M.D.B.&M., or at a point from which the SE corner of said  
(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.)  
Section 28 bears S. 4° 33' 06" E., 5,276.83 feet.

6. The existing point of diversion is located within SW 1/4 SE 1/4 Section 36, T. 35 N., R. 59 E.,  
M.D.B.&M., or at a point which is near the S 1/4 corner of said section 36.  
(If point of diversion is not changed, do not answer.)  
The 1/4 corner bears S. 50° W., 335 feet from the point of diversion.

7. Proposed place of use SE 1/4 NW 1/4 (36.65), NE 1/4 SW 1/4 (12.56 acres), NW 1/4 SW 1/4  
(0.88 acres), SW 1/4 NW 1/4 (13.13 acres), NE 1/4 NE 1/4 (0.36 acres), Section 20,  
T. 35 N., R. 59 E., M.D.B.&M., SW 1/4 NW 1/4 (8.05 acres), SE 1/4 NW 1/4 (0.17 acres),  
NW 1/4 SE 1/4 (1.02 acres), SW 1/4 NE 1/4 (0.38 acres), NW 1/4 NE 1/4 (0.34 acres), SW 1/4 NE 1/4  
(5.42 acres), SE 1/4 NE 1/4 (8.20 acres), NE 1/4 SE 1/4 (7.38 acres), Section 21,  
T. 35 N., R. 59 E., M.D.B.&M. Total 94.54 acres.

8. Existing place of use Lot 3 (23.06 acres), Lot 4 (10.17 acres), SW 1/4 NW 1/4  
(7.80 acres), SE 1/4 NW 1/4 (32.89 acres), NE 1/4 SW 1/4 (10.00 acres), NW 1/4 SW 1/4  
(1.60 acres) Section 1, T. 34 N., R. 59 E., M.D.B.&M., SE 1/4 SW 1/4 (9.02 acres)  
Section 36, T. 35 N., R. 59 E., M.D.B.&M. Total 94.54 acres

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

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

11. Description of proposed works.

Wooden headgate and old open ditches.

(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 \$5000

13. Estimated time required to construct works works are complete

14. Remarks

Compared by hs/jw dc/lb

s/ John M. Marble Applicant John M. Marble

By s/ Charles C. Armuth, Jr. Charles C. Armuth, Jr., agent

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 Secret Creek as heretofore granted under Permit 3729, Certificate 709, is issued subject to the terms and conditions imposed in said Permit 3729, certificate 709, 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. This permit is also issued subject to the provision that the springs and water courses on the so-called "Ryan Ranch" will not be diverted or spread from their natural channels or to impede their natural flow to Secret Creek, except for stockwatering purposes; and also subject to the provision that an application to change the point of diversion and place of use of the waters remaining under Permit 1631, Certificate 330 after approval of Permits 23923, 23924, 23925, & 23926 be filed within 90 days after such approval; to a location closer to Secret Creek.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0954 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 March 24, 1969

Proof of commencement of work shall be filed before April 24, 1969

Work must be prosecuted with reasonable diligence and be completed on or before March 24, 1969

Proof of completion of work shall be filed before April 24, 1969

Application of water to beneficial use shall be made on or before March 24, 1969

Proof of the application of water to beneficial use shall be filed on or before April 24, 1969

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

Commencement of work filed MAR 3, 1969

Completion of work filed MAR 3, 1969

Proof of beneficial use filed MAR 25, 1969

Cultural map filed

Certificate No. 7073 Issued 7-5-69

Recorded 9-25-69 Bk 112 Page 44

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of December

A.D. 19 68

[Signature of Roland D. Westergard] State Engineer