

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 NOV 7 1967

Returned to applicant for correction

Corrected application filed Map filed Nov. 27, 1964 under 22285

The applicant Theodore H. Berry of P.O. Box 805, Winnemucca, County of Humboldt

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

Place of use

of water heretofore appropriated under Permit 22285

(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 3.0 c.f.s. (Second feet, acre feet.)

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

4. The water heretofore used for Mining, Milling & Domestic purposes (If for stock state number and kind of animals.)

5. The water is to be diverted at the following point SE 1/4 SE 1/4 Sec. 34, T. 29 N., R. 34 E.,

M.D.B.&M. or at a point from which the S. quarter corner of said Sec. 34 bears S 77° 33' W., a distance of 2,390 feet.

6. The existing point of diversion is located within Not changed

(If point of diversion is not changed, do not answer.)

7. Proposed place of use S 1/2 SE 1/4 SE 1/4 Sec. 35; S 1/2 S 1/2 Sec. 36; SE 1/4 NE 1/4 SE 1/4

Sec. 36, T. 29 N., R. 34 E., M.D.B.&M., S 1/2 Sec. 31, SW 1/4 Sec. 32

T. 29 N., R. 35 E., M.D.B.&M.

(Former place of use in 22285)

8. Existing place of use SE 1/4 SW 1/4 Sec. 15, T. 28 N., R. 34 E., M.D.B.&M.

(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.

10. Use has been from January 1st to December 31st of each year.

11. Description of proposed works.

Water will be pumped from well & conveyed by pipe & ditches to places of use. (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 Completed

13. Estimated time required to construct works Completed

14. Remarks Map filed under 22285 will support Place of Use under 22285 abandoned.

Compared hs/jw dih/jb Applicant s/ Theodore H. Berry By s/ James S. Payne

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 place of use of the waters of an underground source as heretofore granted under Permit 22285 is issued subject to the terms and conditions imposed in said Permit 22285 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 3.0 cubic feet per second.

Actual construction work shall begin on or before September 13, 1968
Proof of commencement of work shall be filed before October 13, 1968
Work must be prosecuted with reasonable diligence and be completed on or before September 13, 1969
Proof of completion of work shall be filed before October 13, 1969
Application of water to beneficial use shall be made on or before September 13, 1970
Proof of the application of water to beneficial use shall be filed on or before October 13, 1970
Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed NOV 24, 1969 IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD
Completion of work filed NOV 24, 1969 State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed my office, this 13th day of March
Cultural map filed
Certificate No. Issued A.D. 19 68
Recorded Bk Page State Engineer

2407 CANCELLED NOV 21 1972
OF APPLICANT TO COMPLY WITH THE BECAUSE OF FAILURE
OF PERMIT
Roland D. Westergard