

ASSIGNED

Serial No. **26446**

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 **DEC 21 1971**

Returned to applicant for correction

Corrected application filed

Map filed **DEC 20 1972**

The applicant Cappaert Enterprises
of 4211 Rifle Range Road, County of Vicksburg
State of Mississippi, hereby makes application for permission to change the
Point of diversion and place of use
of water heretofore appropriated under permit No. 25564

(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 6.0 c.f.s.
(Second feet, acre feet.)
3. The water to be used for irrigation and domestic
(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 in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 8
T. 18 S., R. 51 E., M.D.B. & M. from which the NW corner of said Section 8
(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.)
bears N. 08° 00' 00" w 2850.0 feet
6. The existing point of diversion is located within NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 7, T18 S.,
R. 51 E. M.D.B. & M., at a point from which the E $\frac{1}{4}$ corner of Section
(If point of diversion is not changed, do not answer.)
7 bears N88° 27' 46" E 3163.2 feet.
7. Proposed place of use S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 11, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
SE $\frac{1}{4}$ E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, T18S, R 50E, N $\frac{1}{2}$ S $\frac{1}{2}$ Section 7, W $\frac{1}{2}$ NE $\frac{1}{4}$,
W $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ Section 8, W $\frac{1}{2}$ E $\frac{1}{2}$, W $\frac{1}{2}$ Section 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ Section 18,
T 18S, R51E, M.D.B. & M. 1080 Acres total.
8. Existing place of use N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 7, T 18S, R 51E, M.D.B. & M., SE $\frac{1}{4}$ SE $\frac{1}{4}$
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
Section 12, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 12, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 12, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12,
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 13, NW $\frac{1}{4}$ Section 13, S $\frac{1}{2}$ NE $\frac{1}{4}$ Section 11, SE $\frac{1}{4}$ Section 11,
S $\frac{1}{2}$ NW $\frac{1}{4}$ Section 11, NW $\frac{1}{4}$ Section 14, T 18S, R 50E, M.D.B. & M. 1080 Acres
total.
9. Use will be from January 1 to December 31 of each year.
(Month) (Month)
10. Use has been from January 1 to December 31 of each year.
(Month) (Month)

11. Description of proposed works.

Well, pump, motor, electrical controls & pipelines

(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 \$10,000.00

13. Estimated time required to construct works 5 years

14. Remarks water under this application to be comingled with water from other sources and other rights held by the applicant.

Compared by b.jg./j.w. ga./j.w. Applicant Cappaert Enterprises

Pro. filed 2-15-72 by Gerard S. Witucki for Nat'l Park Serv.

By s/ Grant A. Engstrom - Agent

13405 Mahogany Drive Reno, Nevada 89502

Pro. filed 3-24-72 by Frank w. Groves for Dept. of Fish & Game

Pro. overruled 5-5-72, Ruling 1849

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 and place of use of the waters of an underground source as heretofore granted under Permit 25564 is issued subject to the terms and conditions imposed in said Permit 25564 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 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.

This permit is further subject to the provision that no more than 16.5 acres having existing water right shall be irrigated in the NW 1/4 SE 1/4, Sec. 7, T. 18S., R. 51E., M.D.B. & M.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 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 November 19, 1972

Proof of commencement of work shall be filed before December 19, 1972

Work must be prosecuted with reasonable diligence and be completed on or before November 19, 1973

Proof of completion of work shall be filed before December 19, 1973

Application of water to beneficial use shall be made on or before November 19, 1976

Proof of the application of water to beneficial use shall be filed on or before December 19, 1976

Map in support of proof of beneficial use shall be filed on or before December 19, 1976

Commencement of work filed DEC 7 1972 IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of May, A.D. 1972.

Recorded Bk. Page WITHDRAWN BY APPLICANT JUN 29 1986

STATE ENGINEER signature