

**ASSIGNED**

Serial No. **26667**

**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 **APR 13 1972**

Returned to applicant for correction

Corrected application filed \_\_\_\_\_ Map filed **APR 13 1972**

The applicant **Cappaert Enterprises**  
of **Rifle**  
P. O. Box 1044 / Range Road \_\_\_\_\_, County of **Vicksburg,**

State of **Mississippi** \_\_\_\_\_, hereby makes application for permission to change the  
**Place of Use**

of water heretofore appropriated under **24870**

(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 **Unnamed clay pits**  
(Name of stream, lake or other source.)

2. The amount of water to be changed **5.96875 cfs**  
(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 **NW 1/4 NE 1/4 Sec. 7, T 18 S, R 50 E MDB & M**  
**from which the N 1/4 corner Section 7 bears N 57° 28' W 1320.25 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 \_\_\_\_\_  
(If point of diversion is not changed, do not answer.)

7. Proposed place of use **E 1/2 SE 1/4 Section 9, SW 1/4 Section 10, NW 1/4, W 1/2 SW 1/4 Section 15**  
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)  
**E 1/2 NE 1/4 Section 16, T 18 S, R 50 E MDB & M - 315.476 Acres total.**

8. Existing place of use **E 1/2 NE 1/4 Section 16; NE 1/4, W 1/2 SW 1/4 Section 15, T 18 S, R 50 E**  
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)  
**MDB & M**

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.

Install pump and pipeline to transport water to existing reservoir.

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

Section 9, T 18 S, R 50 E, M.D.B. & M.

(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 2 years

14. Remarks Portion of land for which permit 24870 was issued was not acquired from U. S. Bureau of Land Management. Balance of water of Permit 24870 being changed to stock watering - Application No. 26470.

Compared ga/jw ga/hs

Applicant Cappaert Enterprises

By s/ Grant A. Engstrom
3195 Mill Street
Reno, Nevada 89502

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 a portion of the waters of Clay Pits as heretofore granted under Permit 24870 is issued subject to the terms and conditions imposed in said Permit 24870, 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.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.96875 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 March 21, 1973

Proof of commencement of work shall be filed before April 21, 1973

Work must be prosecuted with reasonable diligence and be completed on or before March 21, 1974

Proof of completion of work shall be filed before April 21, 1974

Application of water to beneficial use shall be made on or before March 21, 1977

Proof of the application of water to beneficial use shall be filed on or before April 21, 1977

Map in support of proof of beneficial use shall be filed on or before April 21, 1977

Commencement of work filed MAY 17 1973
Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued A.D. 19 72
Recorded Bk. Page

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21st day of September

A.D. 19 72

[Signature of Roland D. Westergard]

State Engineer

[Signature of State Engineer]