

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

**APR 24 1972**

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... Map filed **Apr. 24, 1972**

The applicant **Art McKay**  
**Reno**  
of **% Ernest J. Bresson, 617 North St.**, County of.....

State of **Nevada 89502**, hereby makes application for permission to change the

**POINT OF DIVERSION**

of water heretofore appropriated under **Permit No. 23419**

(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 **4.5 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 **In the SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 1, T. 35 N., R. 23 E., M.D.B. & M., from which the southwest corner of said Section 1, bears S. 85° 55' W., 1404 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 **the NE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 12, T. 35 N., Range 23 E., M.D.B. & M., from which the northwest corner of said Section 12, bears N. 63° 30' W., 2938 feet.**  
(If point of diversion is not changed, do not answer.)

7. Proposed place of use **Lots 2, 3, and 5, Section 1, T. 35 N., R. 23 E., M.D.B. & M., and the W $\frac{1}{2}$  NE $\frac{1}{4}$  and E $\frac{1}{4}$  NW $\frac{1}{4}$  Section 36, T. 36 N., R. 23 E., M.D.B. & M.**  
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

8. Existing place of use **Lots 2, 3, and 5, Section 1, T. 35 N., R. 23 E., and the W $\frac{1}{2}$  NE $\frac{1}{4}$  and E $\frac{1}{2}$  NW $\frac{1}{4}$  Section 36, T. 36 N., R. 23 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 1st.** of each year.  
(Month) (Month)

10. Use has been from **January 1st.** to **December 31st.** of each year.  
(Month) (Month)

11. Description of proposed works.

Well, pump and 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 \$15,000.00

13. Estimated time required to construct works 2 years

14. Remarks This application is to change the 4.5 c.f.s. under permit No. 23419 to a new well site which will be on the applicants land.

Compared cmc/jw

Applicant Art. McKay

Denied 6/26/74, Ruling 1981

By s/Walter G. Reid

P.O. Box 474 Virginia City, Nevada 89440

DENIAL OF STATE ENGINEER

deny

This is to certify that I have examined the foregoing application, and do hereby deny the same, subject to the

following limitations and conditions:

on the grounds that the applicant has failed to submit requested information necessary before a permit could be issued.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

Commencement of work filed

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

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 26th day of June

A.D. 19 74

[Signature of Roland D. Westergard]

State Engineer