

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. MAR 28 1973
Returned to applicant for correction. APR 5 1973
Corrected application filed. APR 16 1973 Map filed. APR 16 1973

The applicant R. P. Powers
of Star Route, Battle Mountain, County of
State of Nevada, hereby makes application for permission to change the
Point of Diversion
of water heretofore appropriated under Permit No. 23920

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

- The source of water is Underground Sources
(Name of stream, lake or other source.)
- The amount of water to be changed 5.4 cfs
(Second feet, acre feet.)
- The water to be used for Irrigation and Domestic
(If for stock state number and kind of animals.)
- The water heretofore used for Irrigation and Domestic
(If for stock state number and kind of animals.)
- The water is to be diverted at the following point SE¹/₄ NE¹/₄ Section 20, T.25N., R.42E.,

M.D.B. & M. whence the E¹/₄ corner of Section 21, T.25N., R.42E.,
(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.)
M.D.B. & M. bears S. 87° 57' E. 5529.00 feet distant.

- The existing point of diversion is located within the SW¹/₄ NE¹/₄ of Section 20, T.25N.,
R.42E., M.D.B. & M. whence the NE Corner of said Section 20 bears
(If point of diversion is not changed, do not answer.)
N. 36°20' E. 3275.00 feet.

- Proposed place of use NE¹/₄; NE¹/₄ SE¹/₄; NE¹/₄ NW¹/₄ Section 20 and the E¹/₂ SW¹/₄
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
Section 17, T.25N., R.42E., M.D.B. & M.

- Existing place of use NE¹/₄; NE¹/₄ SE¹/₄; NE¹/₄ NW¹/₄ Section 20 and the E¹/₂ SW¹/₄
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
Section 17, T.25N., R.42E., M.D.B. & M.

9. Use will be from Jan. 1st to December 31st of each year.
(Month) (Month)

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

11. Description of proposed works.

An irrigation Well has been drilled cased and equipped. Ditches
(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)
and pipelines are constructed.
(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

13. Estimated time required to construct works...works are complete and well is ready for use

14. Remarks... The supporting map for this application is also prepared to cover the Proof of Beneficial under permit no's 25402 and 23920 which will be submitted at a latter date.

Compared bs/jw lk/bs Applicant R. P. Powers
By s/ Wallace T. Boundy
Wallace T. Boundy (agent)
P. O. Box 150
Ely, Nevada 89301
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 an underground source as heretofore granted under Permit 23920 is issued subject to the terms and conditions imposed in said Permit 23920 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 measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. 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 5.4 cubic feet per second, but not to exceed a

yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before October 17, 1973

Proof of commencement of work shall be filed before November 17, 1973

Work must be prosecuted with reasonable diligence and be completed on or before October 17, 1973

Proof of completion of work shall be filed before November 17, 1973

Application of water to beneficial use shall be made on or before October 17, 1974

Proof of the application of water to beneficial use shall be filed on or before November 17, 1974

Map in support of proof of beneficial use shall be filed on or before November 17, 1974

Commencement of work filed JAN 8 1974
Completion of work filed JAN 8 1974
Proof of beneficial use filed NOV 22 1974
Cultural map filed APR 16 1973
Certificate No. 8716 Issued 2-5-76
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 17th day of August

A.D. 19 73

Roland D. Westergard
State Engineer

FORFEITED

ORDER NO. By letter
DATE AUG 04 1998

Forfeiture Rescinded
See Order of June 16, 1999

2407
Abrogated By: ESD12 LWD