

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 JUN 21 1973

Returned to applicant for correction

Corrected application filed Map filed MAY 8 1970 under 25599

The applicant Francis I. McKay of 430 Rosewood Drive Reno, County of

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

the point of diversion of a portion

of water heretofore appropriated under Permit 25599 Certificate 7632

(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 (Name of stream, lake or other source.)
- The amount of water to be changed 2.0 cfs (Second feet, acre feet.)
- The water to be used for Irrigation & Domestic (If for stock state number and kind of animals.)
- The water heretofore used for Irrigation & Domestic (If for stock state number and kind of animals.)
- The water is to be diverted at the following point NW 1/4 SW 1/4 Sec. 12, T.35N., R.23E.

MDB&M or at a point from which the W 1/4 corner of said Section 12 bears N.45°00' W 75.0 feet.

- The existing point of diversion is located within SW 1/4 SE 1/4 Sec. 12, T.35N., R.23E. MDB&M or at a point from which the SW corner of said Section 12 bears S. 63°39'35" W. 2,968.17 feet.

- Proposed place of use SE 1/4, (160 acres) N 1/2 SW 1/4, (80 acres) SE 1/4 SW 1/4, (40 acres) SW 1/4 SW 1/4, (25 acres) Section 12, T.35N., R.23E. M.D.B.&M. 305 acres total

- Existing place of use (same as above) 305 acres total

Use will be from January 1st to December 31st of each year.

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

11. Description of proposed works.

Drilled well, pump, pipelines & ditches

(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

13. Estimated time required to construct works completed

14. Remarks Map filed under Permit 25599 will support this application.

This is an existing well drilled under Permit 23083. It will be better husbandry to use the 2 wells instead of just one.

Compared 1k/cm 1k/jw

Applicant Francis I. McKay

By s/ R. L. Spoo

P.O. Box 21

Gerlach, Nev. 89412

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 a portion of the waters of an underground source as heretofore granted under Permit 25599 is issued subject to the terms and conditions imposed in said Permit 25599 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 2.0 cubic feet per second, but not to exceed 4.0 acre-feet per acre annually.

Actual construction work shall begin on or before December 4, 1973

Proof of commencement of work shall be filed before January 4, 1974

Work must be prosecuted with reasonable diligence and be completed on or before December 4, 1973

Proof of completion of work shall be filed before January 4, 1974

Application of water to beneficial use shall be made on or before December 4, 1974

Proof of the application of water to beneficial use shall be filed on or before January 4, 1975

Map in support of proof of beneficial use shall be filed on or before January 4, 1975

Commencement of work filed NOV 21 1973
Completion of work filed NOV 21 1973
Proof of beneficial use filed NOV 21 1973
Certificate No. 2231 Issued 2-1-74
Recorded 2-5-74 Bk 794 Page 194

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 4th day of October

A.D. 19 73

[Signature of Roland D. Westergard]

State Engineer