

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

FEB 19 1974

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

Returned to applicant for correction.....

Corrected application filed..... Map filed April 4, 1973 under 24379

The applicant Ely Municipal Water Dept.

% Chilton Engineering 421 Court of Elko Street and No. or P.O. Box No. City or Town

Nevada 89801 State and Zip Code No. hereby make application for permission to change the

Point of Diversion

of water heretofore appropriated under #22768

(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 Well #2 Name of stream, lake or other source.

2. The amount of water to be changed 5.4 cfs Second feet, acre feet.

3. The water to be used for Irrigation & Domestic If for stock state number and kind of animals.

4. The water heretofore used for Irrigation & Domestic If for stock state number and kind of animals.

5. The water is to be diverted at the following point SE 1/4 NE 1/4, Sec. 10, T16N, R63E, MDM, at a point from which the N 1/4 corner of Sec. 11, T16N, R63E, MDM 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 bears N 59° 12' E 3365 feet stated.

6. The existing point of diversion is located within SW 1/4 NW 1/4, Sec. 11, T16N, R63E, MDM, at a point from which the N 1/4 corner of said Section 11 bears N 58° 43' 23" E 2635.92 feet If point of diversion is not changed, do not answer.

7. Proposed place of use Portions of the N 1/2 NW 1/4, Section 11, SW 1/4 SW 1/4, Describe by legal subdivisions. If for irrigation state number of acres to be irrigated. E 1/2 W 1/2, W 1/2 E 1/2, Section 2, all in T 16 N, R 63 E, MDM 320 acres

8. Existing place of use Portions of the N 1/2 NW 1/4, Section 11, SW 1/4 SW 1/4, E 1/2 W 1/2, Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated. W 1/2 E 1/2, Section 2, all in T 16 N, R 63 E, MDM

9. Use will be from January 1 to December 31 of each year. Day and Month Day and Month

10. Use has been from January 1 to December 31 of each year. Day and Month Day and Month

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) drilled and cased well - flowing and is equipped with gate valve for control of flow 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 \$8,000.00
13. Estimated time required to construct works completed
14. Estimated time required to complete the application of water to beneficial use completed
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The well was drilled in an alternate location from original Permit location

Compared bs/jw lk/cv Applicant Ely Municipal Water Dept.
 By s/ Mark Chilton
Agent - 421 Court
Elko, Nevada 89801

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 22768 is issued subject to the terms and conditions imposed in said Permit 22768 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.

The place of use under this permit is limited to the 246 acres claimed under the Proof of Beneficial Use filed under Permit 22768.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.34 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 February 12, 1975

Proof of commencement of work shall be filed before March 12, 1975

Work must be prosecuted with reasonable diligence and be completed on or before February 12, 1975

Proof of completion of work shall be filed before March 12, 1975

Application of water to beneficial use shall be made on or before February 12, 1975

Proof of the application of water to beneficial use shall be filed on or before March 12, 1975

Map in support of proof of beneficial use shall be filed on or before March 12, 1975

Commencement of work filed DEC 20 1974
 Completion of work filed DEC 20 1974
 Proof of beneficial use filed DEC 20 1974
 Cultural map filed
 Certificate No. 8457 Issued 2-21-75
 Recorded 3-5-75 Bk. 374 Page 94
 2407 White Pine County

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 12th day of December,

A.D. 19 74 Roland D. Westergard
 State Engineer