

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 25 1975

Returned to applicant for correction MAY 1 1975

Corrected application filed MAY 13 1975 Map filed MAY 12 1975

The applicant B. R. & Rosemary Behmer (60% interest); Ruth V. Brown (40% interest)

P. O. Box 143 of Overton
Street and No. or P.O. Box No. City or Town

Nevada 89040
State and Zip Code No.

, hereby make... application for permission to change the place of use and manner of use

of water heretofore appropriated under Application No. 12244, Certificate Record No. 4016
(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 source in Muddy River Valley
Name of stream, lake or other source.

2. The amount of water to be changed 300 acre feet, from 0.72 c.f.s. pumping rate
Second feet, acre feet. total

3. The water to be used for industrial (cooling)
If for stock state number and kind of animals.

4. The water heretofore used for irrigation
If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Sec. 23, T.14S., R.65E., M.D.B. & M., or at a point from which the NW corner
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.
of said Sec. 23 bears N. 49° 45' 49" West 85.3 feet.

6. The existing point of diversion is located within _____
If point of diversion is not changed, do not answer.

7. Proposed place of use Reid Gardner Station - portions of SW $\frac{1}{4}$ and SW $\frac{1}{4}$ of the SE $\frac{1}{4}$, Sec. 5, T.15S., R.66E., M.D.B. & M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 25 acres in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Sec. 23, T.14S., R.65E., M.D.B. & M.
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
6 acres in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, Sec. 23, T.14S., R.65E.
19 acres in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$, Sec. 23, T.14S., R.65E.
25 acres in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$, Sec. 23, T.14S., R.65E.
A total of 75 acres in Clark County, Nevada.

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.) New pump and new pipe.
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.....\$19,000
13. Estimated time required to construct works... May, 1976
14. Estimated time required to complete the application of water to beneficial use....December...1976
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water will be pumped into existing pipeline from intake structure located upstream of weir. 75 acre feet will remain as described under permit #12244.

Compared ns/bs lk/sk Applicant B. R. Behmer s/B. R. Behmer
 Rosemary Behmer s/Rosemary Behmer
 Ruth V. Brown s/Ruth V. Brown
 By Box 143
 Overton, Nevada 89040

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 manner of use and place of use of a portion of the waters of an underground source as heretofore granted under Permit 12244 is issued subject to the terms and conditions imposed in said Permit 12244 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 totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the Proof of Completion of Work is filed. 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 0.72 cubic feet per second but not to exceed a yearly duty of 300 acre-feet annually.

- Actual construction work shall begin on or before May 25, 1976
- Proof of commencement of work shall be filed before June 25, 1976
- Work must be prosecuted with reasonable diligence and be completed on or before May 25, 1977
- Proof of completion of work shall be filed before June 25, 1977
- Application of water to beneficial use shall be made on or before May 25, 1979
- Proof of the application of water to beneficial use shall be filed on or before June 25, 1979
- Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed JUL 14 1976
 Completion of work filed JUL 14 1976
 Proof of beneficial use filed JUL 12 1979
 Cultural map filed MAY 12 1975
 Certificate No. 9691 Issued DEC 30 1981
 Recorded Bk. 38 Page

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 25th day of November, A.D. 1975.

Roland D. Westergard
 State Engineer