

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..... DEC 24 1975

Returned to applicant for correction..... JAN 6 1976 JAN 13 1976

Corrected application filed..... JAN 16 1976 Map filed..... DEC 24 1975

The applicant..... James Lee Billingsley, Timothy Cole Billingsley, Karen Jeanee Billingsley

Highway 40 East of Winnemucca
Street and No. or P.O. Box No. City or Town

Nv 89445, hereby make... application for permission to change the
State and Zip Code No.

Point of Diversion

of water heretofore appropriated under..... 28620

(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..... 0.675
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 1/4 NW 1/4 Sec. 26, T.35N., R.36E. MDB&M; or a point from which the West 1/4 corner of said Sec. 26 bears 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 S. 45° W. 65 ft. stated.

6. The existing point of diversion is located within the SW 1/4 NW 1/4 Sec. 26, T.35N., R.36E. MDB&M; or a point from which the NW corner of said Sec. 26 bears N. 12° 14' W. 1426.89 ft. If point of diversion is not changed, do not answer.

7. Proposed place of use W 1/2 SW 1/4 NW 1/4 and W 1/2 NW 1/4 SW 1/4 Sec. 26, T.35N., R.36E. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated. MDB&M

8. Existing place of use same Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

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.) Well, pump, pipelines and sprinkling system 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..... \$5000
- 13. Estimated time required to construct works..... 3 months
- 14. Estimated time required to complete the application of water to beneficial use..... 2 years
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This change is required to adjust the point of diversion to
 the location of the well

Compared..... bs/jw..... lk/ga.....
 Applicant..... James Lee, Timothy Cole
 and Karen Jeanee Billingsley
 By..... s/ J. R. Caldwell
 260 Minor St.
 Winnemucca, Nv 89445

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 28620 is issued subject to the terms and conditions imposed in said Permit 28620 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..... 0.675..... 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..... April 11, 1976
 Proof of commencement of work shall be filed before..... May 11, 1976
 Work must be prosecuted with reasonable diligence and be completed on or before..... April 11, 1976
 Proof of completion of work shall be filed before..... May 11, 1976
 Application of water to beneficial use shall be made on or before..... July 5, 1977
 Proof of the application of water to beneficial use shall be filed on or before..... August 5, 1977
 Map in support of proof of beneficial use shall be filed on or before..... August 5, 1977

Commencement of work filed..... MAY 17 1976
 Completion of work filed..... JUN 1 1976
 Proof of beneficial use filed..... DEC 11 1978
 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..... 9th..... day of April

A.D. 19..... 76.....
 State Engineer