

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 APR 6 1976

Returned to applicant for correction APR 16 1976

Corrected application filed APR 27 1976 Map filed APR 27 1976

The applicant Young Brothers Livestock, Inc.

Rt. 2, Box 5 of Austin
Street and No. or P.O. Box No. City or Town

Nevada 89310, hereby make^S application for permission to change the
State and Zip Code No.

the point of diversion

of water heretofore appropriated under Permit No. 25778

(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 Kingston Creek (aka Big Smokey Creek) and Tributaries
Name of stream, lake or other source.
- The amount of water to be changed 2.8 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 in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, T.16N., R.44E.,
M.D.B.&M. whence the NW Corner of Section 23, T.16N., R.44E., M.D.B.&M. 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
N. 89 degrees 29' 00" W., 5,814.00 feet distant.
stated.
- The existing point of diversion is located within in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, T.16N., R.44E.,
M.D.B.&M. whence the NW Corner of Section 23, T.16N., R.44E., M.D.B.& M. bears
If point of diversion is not changed, do not answer.
N. 78 degrees 11' 30" W., 5,943.52 feet distant.
- Proposed place of use S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ Section 24, T.16N., R.44E.,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
M.D.B.&M. 246.8 acres
- Existing place of use S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ Section 24, T.16 N., R.44 E.,
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
M.D.B.&M. 246.8 acres
- Use will be from January 1st to December 31st of each year.
Day and Month Day and Month
- Use has been from January 1st to December 31st of each year.
Day and Month Day and Month
- 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.) Through Ditches.
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..... \$1,000.00
- 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.

Compared..... dc/bl dc/bl Applicant..... Young Brothers Livestock, Inc.
 By..... s/Richard W. Forman
 Richard W. Forman, 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 Kingston Creek (aka Big Smokey Creek) and Tributaries as heretofore granted under Permit 25778 is issued subject to the terms and conditions imposed in said Permit 25778, and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change 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..... 2.8 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..... June 7, 1978
- Proof of commencement of work shall be filed before..... July 7, 1978
- Work must be prosecuted with reasonable diligence and be completed on or before..... June 7, 1979
- Proof of completion of work shall be filed before..... July 7, 1979
- Application of water to beneficial use shall be made on or before..... June 7, 1980
- Proof of the application of water to beneficial use shall be filed on or before..... July 7, 1980
- Map in support of proof of beneficial use shall be filed on or before..... July 7, 1980

Commencement of work filed..... JUL 18 1978
 Completion of work filed..... JUL 18 1978
 Proof of beneficial use filed..... JUL 18 1978
 Cultural map filed.....
 Certificate No. 9753 Issued FEB 1 1982
 Recorded..... Bk. 33 Page.....

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 7th day of December

A.D. 19 77 *[Signature]*
 State Engineer