

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..... JAN 27 1977

Returned to applicant for correction..... FEB 17 1977

Corrected application filed..... FEB 22 1977
Map filed JAN 27 1977

The applicant..... Fred Kelley

P. O. Box 451..... of..... Dayton
Street and No. or P.O. Box No. City or Town

Nevada 89403....., hereby make s application for permission to change the
State and Zip Code No.

Point of diversion and place of use of a portion

of water heretofore appropriated under..... Permit No. 26661

(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..... 0.50 CFS
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 NE 1/4 section 17, T.17N., R.23E., M.D.B. & M., from which the east one quarter corner of
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.
said section 17, bears S. 84° 22' 44" E., 2552. feet.

6. The existing point of diversion is located within..... the NW 1/4 SW 1/4 Section 4, T.17N., R.23E., M.D.B. & M., at a point from which the West one quarter corner of
If point of diversion is not changed, do not answer.
said Section 4 bears N. 9° 48' W. 493.20 feet.

7. Proposed place of use..... 40 acres in the S 1/2 NE 1/4, NE 1/4 SE 1/4, E 1/2 NW 1/4 SE 1/4 and N 1/2 SE 1/4 SE 1/4 Section 17, T.17N., R.23E., M.D.B. & M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use..... 20 acres in the W 1/2 SW 1/4 section 4, T.17N., R.23 E., M.D.B. & M.
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

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

10. Use has been from..... January 1st..... to..... December 31st..... 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 sprinkler 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..... \$40,000.00
- 13. Estimated time required to construct works..... 3 years
- 14. Estimated time required to complete the application of water to beneficial use..... 5 years
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared..... bs/dc..... dc/lk..... Applicant Fred Kelley
 By..... s/ Walter G. Reid
P. O. Box 474
Virginia City, Nevada 89440

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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 26661 is issued subject to the terms and conditions imposed in said Permit 26661 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..... 0.50..... 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..... July 17, 1977
- Proof of commencement of work shall be filed before..... August 17, 1977
- Work must be prosecuted with reasonable diligence and be completed on or before..... July 17, 1977
- Proof of completion of work shall be filed before..... August 17, 1977
- Application of water to beneficial use shall be made on or before..... August 27, 1977
- Proof of the application of water to beneficial use shall be filed on or before..... September 27, 1977
- Map in support of proof of beneficial use shall be filed on or before..... September 27, 1977

Commencement of work filed..... JUL 13 1977
 Completion of work filed..... JUL 13 1977
 Proof of beneficial use filed..... SEP 22 1977
 Cultural map filed..... NOV 9 1977
 Certificate No. 9186 Issued 1-19-78
 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..... 17th..... day of..... May.....

A.D. 19..... 77

[Signature]
State Engineer