

AMENDED

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 MAY 6 1977

Returned to applicant for correction JUN 9 1977

Corrected application filed JUN 17 1977 Map filed MAY 6 1977

The applicant Joseph W. Fitts

Box 20 of Gerlach City or Town

Nevada 89412 State and Zip Code No. hereby makes application for permission to change the

Point of Diversion

of water heretofore appropriated under Permit 26856

(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 2.1 (Ernest) 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 NW 1/4 NW 1/4 Section 25, T.35N., R.23E., M.D.B. & M., or at a point from which the Northwest corner of said Section 25 bears N. 0° 52' W. a distance of 1319 feet.

6. The existing point of diversion is located within the NW 1/4 NW 1/4 Section 25, T.35N., R.23E., M.D.B. & M., or at a point from which the Northwest corner of said Section 25 bears N. 45° 13' 15" W. a distance of 1831.42 feet.

7. Proposed place of use in the Northwest 1/4 of Section 25, T.35N., R.23E., M.D.B. & M.

8. Existing place of use in the Northwest 1/4 of Section 25, T.35N., R.23E., M.D.B. & M.

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

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

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.) cased well, pump, diesel motor, pipelines.

- 12. Estimated cost of works.....\$15,000.
- 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..... 1m/ga..... bl/dc..... Applicant Joseph W. Fitts.....

By s/ Ernest E. Muller, Sr.
Ernest E. Muller, Sr., SWRS 273
750 W. Pueblo St.
Reno, Nv. 89509

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 26856 is issued subject to the terms and conditions imposed in said Permit 26856 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 the 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 amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.1 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..... March 6, 1978
- Proof of commencement of work shall be filed before..... April 6, 1978
- Work must be prosecuted with reasonable diligence and be completed on or before..... March 6, 1978
- Proof of completion of work shall be filed before..... April 6, 1978
- Application of water to beneficial use shall be made on or before..... March 8, 1978
- Proof of the application of water to beneficial use shall be filed on or before..... April 8, 1978
- Map in support of proof of beneficial use shall be filed on or before..... April 8, 1978

Commencement of work filed..... APR 27 1978
 Completion of work filed..... APR 27 1978
 Proof of beneficial use filed..... APR 27 1978
 Cultural map filed..... MAY 6 1977
 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 6th day of JANUARY

A.D. 19 78

[Signature]
State Engineer