

AMENDED APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

AUG 18 1977-New Priority Date DEC 2 1988

Date of filing in State Engineer's Office

Returned to applicant for correction

FEB 17 1978

Corrected application filed

Map filed FEB 17 1978

The applicant Kenneth D. & Sharon Heinbaugh

1305 Avenue I, of East Ely, City or Town

Street and No. or P.O. Box No.

Nevada 89315, hereby make S. application for permission to appropriate the public

State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground Well No. 2

Name of stream, lake, spring, underground or other source

2. The amount of water applied for is .5 cfs second-foot

One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Irrigation and Domestic

Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated: 5 acres

(b) Stockwater, state number and kinds of animals to be watered:

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: in the W 1/2 SE 1/4 NE 1/4 NW 1/4 of Section

Describe as being within a 40-acre subdivision of public

23, T. 16 N., R. 63 E., M.D.B. & M., whence the N 1/2 Corner of said Section 23

survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

bears N. 35° 21' E., 893.19 feet distant.

6. Place of use W 1/2 SE 1/4 NE 1/4 NW 1/4 of Section 23, T. 16 N., R. 63 E., M.D.B. & M.,

Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about 1st of January and end about 31st of December, of each year.

Month and Day

Month and Day

8. 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.) by sprinkler system

State manner in which water is to be diverted, i.e. diversion structure, ditches and

flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$10,000.00

10. Estimated time required to construct works 3 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By s/Richard W. Forman
Richard W. Forman, Agent
P.O. Box 150
Ely, Nevada 89301

Compared ds/ kc br/ja

Protested _____

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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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.

This permit is issued subject to the "Stipulation" filed in the Seventh Judicial District Court of the State of Nevada in and for the County of White Pine and filed in the office of the State Engineer, Case No. 11932, dated 28th day of May, 1983.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second, but not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before June 29, 1985

Proof of completion of work shall be filed before July 29, 1985

Application of water to beneficial use shall be made on or before June 29, 1988

Proof of the application of water to beneficial use shall be filed on or before July 29, 1988

Map in support of proof of beneficial use shall be filed on or before July 29, 1988

Completion of work filed DEC 28 1992 IN TESTIMONY WHEREOF, I, PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed _____ my office, this 29th day of JUNE

Cultural map filed _____ A.D. 1983

Certificate No. _____ Issued _____

State Engineer

~~CANCELLED OCT 6 1988 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~

~~ STATE ENGINEER~~

Can rechecked 2-18-89

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... AUG 18 1977

Returned to applicant for correction.....

Corrected application filed..... FEB 17 1978

Map filed..... FEB 17 1978

The applicant Kenneth D. & Sharon Heinbaugh 1305 Avenue I, of East Ely, Nevada 89315

hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground Well No. 2

2. The amount of water applied for is .5 cfs second-feet

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for Irrigation and Domestic

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)..... 5 acres

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: in the W 1/2 SE 1/4 NE 1/4 NW 1/4 of Section 23, T.16N., R.63E., MDB&M, whence the N 1/4 corner of said Section 23 bears N. 35° 21' E, 893.19 feet distant.

6. Place of use W 1/2 SE 1/4 NE 1/4 NW 1/4 of Section 23, T.16N., R.63E., MDB&M.

7. Use will begin about 1st of January and end about 31st of December of each year.

8. 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.) by 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.

- 9. Estimated cost of works..... \$10,000.00
- 10. Estimated time required to construct works..... 3 years
- 11. Estimated time required to complete the application to beneficial use..... 5 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant..... Kenneth D. & Sharon Heinbaugh

By s/ Richard Forman
 Richard W. Forman, Agent
 P.O. Box 150
 Ely, Nevada 89301

Compared..... 1p/ga

bc/bl

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ^{deny} ~~grant~~ the same, subject to the following limitations and conditions:

Application denied on the grounds that the proposed appropriation of additional ground water for irrigation as applied for would conflict with and tend to impair the value of existing rights and threaten to prove detrimental to the public interest and welfare.

DENIAL RESCINDED
 SEE STIPULATION

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... cubic feet per second

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
 Completion of work filed..... DEC 28 1992
 Proof of beneficial use filed..... DEC 26 2000
 Cultural map filed..... DEC 26 2000
 Certificate No. 15882 Issued..... OCT 22 2001
 Recorded..... Bk..... Page.....
 County Recorder

IN TESTIMONY WHEREOF, I..... WILLIAM J. NEWMAN
 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this..... 30th..... day of..... SEPTEMBER

A.D. 19 80
William J. Newman
 State Engineer