

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 **OCT 27 1977**

Returned to applicant for correction

Corrected application filed Map filed **MAR 21 1978** under **34444**

The applicant **J. Chester Young**

Route 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.

point of diversion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under **Certificate No. 8294, Permit No. 23503**
(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 **Big Smoky Creek (akn Kingston Creek)**
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **6.0 cfs, 1048.12 acre-feet**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Irrigation**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **Irrigation**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point **NW 1/4 of NE 1/4 sec. 35, T16N, R43E, MDB&M**
Describe as being within a 40-acre subdivision of public survey and by course and or at a point from which the **NE corner of sec. 35 bears N 78-22 E, 2680.00** distance to a section corner. If on unsurveyed land, it should be stated.
feet.

6. The existing permitted point of diversion is located within **SE 1/4 of SW 1/4 sec. 15, T16N, R44E, MDB&M,**
If point of diversion is not changed, do not answer.
or at a point from which the **SE corner of said sec. 15 bears S 84-08 E,**
3695.72 feet.

7. Proposed place of use **same**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use **Sec. 24, T16N, R44E, MDB&M Priority 1966**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

| | | | |
|-------|-------------------------------|--------|-------------------------------|
| 38.48 | acres in the SE 1/4 of NW 1/4 | 36.85 | acres in the SW 1/4 of SE 1/4 |
| 40.00 | " " " NE 1/4 " SW 1/4 | 39.82 | " " " SE 1/4 " SE 1/4 |
| 21.29 | " " " SE 1/4 " SW 1/4 | 262.03 | " " " " " " |
| 40.00 | " " " NW 1/4 " SE 1/4 | | |
| 22.56 | " " " NE 1/4 " SE 1/4 | | |

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

10. Use was permitted from **1 January** to **31 December** of each year.
Month and Day Month and Day

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

pipes and flumes, or drilled well, etc.

12. Estimated cost of works **\$50,000.00**

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.

.....
.....
.....

Applicant J. Chester Young
By s/ J. Chester Young.....

Compared bt/bc bt/bc
2/26/79 by Dept. Fish & Game(Pro. withdrawn-See Ruling #2740 of 1/27/82)
Protested 2/22/79 by Gordon C. Shelley, Esq.(Pro. overruled-See Ruling #2740 of 1/27/82)

=====

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 Big Smoky Creek (aka Kingston Creek) as heretofore granted under Permit 23503, Certificate 8294 is issued subject to the terms and conditions imposed in said Permit 23503, Certificate 8294 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

This permit is issued subject to the provisions of the Ruling of the State Engineer dated January 27, 1982.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....6.0.....cubic feet per second...but not to exceed an annual duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources and not to exceed 1048.12 acre-feet annually.....

Work must be prosecuted with reasonable diligence and be completed on or before January 27, 1984.....

Proof of completion of work shall be filed before.....February 27, 1984.....

Application of water to beneficial use shall be made on or before.....January 27, 1986.....

Proof of the application of water to beneficial use shall be filed on or before.....February 27, 1986.....

Map in support of proof of beneficial use shall be filed on or before.....February 27, 1986.....

Completion of work filed..... IN TESTIMONY WHEREOF, I PETER G. MORROS.....

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed..... my office, this 27th.....day of.....JANUARY.....

Certificate No..... Issued..... A.D. 19 82

Peter G. Morros
.....
State Engineer

47402 6.0c.f.s.