

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

MAR 3 1978

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed Map filed MAR 3 1978 under 35056

The applicant Lane Duncan & Robert Michaels c/o E. Tharalson

1123 S. San Gabriel Blvd. of San Gabriel Street and No. or P.O. Box No. City or Town

Ca 91776 State and Zip Code No., hereby make application for permission to change the

Point of Diversion and Place of Use of a portion

of water heretofore appropriated under Permit 28476

(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 3.0 of 6.0 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 NE 1/4 NE 1/4 sec. 27, T33N, R34E, MDB&M; or a point from which the NE corner of said sec. 27 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 45° E. 100 ft. stated.

6. The existing point of diversion is located within NE 1/4 SW 1/4 sec. 13, T32N, R35E, MDB&M, or at a point from which the SW corner of said sec. 13 bears S 60° 47' 30" W a distance of 2909 ft. If point of diversion is not changed, do not answer.

7. Proposed place of use N 1/2 sec. 27, T33N, R34E, MDB&M, 320 acres Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use W 1/2 E 1/2, E 1/2 W 1/2 sec. 2; W 1/2 E 1/2, E 1/2 W 1/2 sec. 12; W 1/2 sec. 13 and E 1/2 sec. 14 all in T32N, R35E, MDB&M, 1280 acres Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

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

10. Use has been from January 1 to December 31 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 and irrigation 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.....\$20,000.....
- 13. Estimated time required to construct works.....3 years.....
- 14. Estimated time required to complete the application of water to beneficial use.....4 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.....lp/ga.....bl/jv.....Applicant.....Lane Duncan & Robert Michaels
 By.....s/ J.R. Caldwell.....
 P.O. Box 432
 Winnemucca, Nv 89445

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 the waters of an underground source as heretofore granted under Permit 28476 is issued subject to the terms and conditions imposed in said Permit 28476 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.....3.0.....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.

Actual construction work shall begin on or before.....April 11, 1979.....
 Proof of commencement of work shall be filed before.....May 11, 1979.....
 Work must be prosecuted with reasonable diligence and be completed on or before.....April 11, 1980.....
 Proof of completion of work shall be filed before.....May 11, 1980.....
 Application of water to beneficial use shall be made on or before.....July 9, 1980.....
 Proof of the application of water to beneficial use shall be filed on or before.....August 9, 1980.....
 Map in support of proof of beneficial use shall be filed on or before.....August 9, 1980.....

Commencement of work filed.....
 Completion of work filed.....
 Proof of beneficial use filed.....
 Cultural map filed.....
 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.....11th.....day of.....OCTOBER.....
 A.D. 19.....78.....
 State Engineer