

ASSIGNED

Serial No. 36316

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 DEC 19 1978

Returned to applicant for correction

Corrected application filed Map filed DEC 19 1978

The applicant Paul Miller

211 Maple Avenue of Winnemucca Nevada

Street and No. or P.O. Box No. City or Town 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 26839

(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 2.43 cfs

Second feet, acre feet.

3. The water to be used for irrigation

If for stock state number and kind of animals.

4. The water heretofore used for irrigation

If for stock state number and kind of animals.

5. The water is to be diverted at the following point NE 1/4 SW 1/4 of Section 22, T.35N., R.36E.,

MDB&M. or at a point from which the S 1/4 corner of said Section 22 bears S 8° 49' E 1,560.0'. 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.

6. The existing point of diversion is located within NE 1/4 NW 1/4 of Section 26, T.35N., R.36E.,

MDB&M. or at a point from which the NW corner of said Section 26 bears N 87° 15' W 2,618.0'. If point of diversion is not changed, do not answer.

7. Proposed place of use 145 acres in the SW 1/4 of Section 22, T.35N., R.36E.,

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

MDB&M.

8. Existing place of use W 1/2 NE 1/4, NW 1/4 SE 1/4, NE 1/4 SW 1/4, E 1/2 NW 1/4 SW 1/4, E 1/2 W 1/2 NW 1/4 of Section

Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

26, T.35N., R.36E., MDB&M., 300 acres.

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

Day and Month

Day and Month

10. Use has been from 1st January to 31st December 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 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.....\$50,000.00
- 13. Estimated time required to construct works.....2 years
- 14. Estimated time required to complete the application of water to beneficial use.....3 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/bl.....jm/dh.....Applicant Paul Miller

By.....s/ Robert N. Caldwell

Robert N. Caldwell (agent)

510 Melarkey Street

Winnemucca, Nevada 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 a portion of the waters of an underground source as heretofore granted under Permit 26839 is issued subject to the terms and conditions imposed in said Permit 26839 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.....2.43.....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.....January 19, 1980

Proof of commencement of work shall be filed before.....February 19, 1980

Work must be prosecuted with reasonable diligence and be completed on or before.....January 19, 1981

Proof of completion of work shall be filed before.....February 19, 1981

Application of water to beneficial use shall be made on or before.....January 19, 1983

Proof of the application of water to beneficial use shall be filed on or before.....February 19, 1983

Map in support of proof of beneficial use shall be filed on or before.....February 19, 1983

Commencement of work filed.....MAR 5 1981

Completion of work filed.....JAN 18 1982

Proof of beneficial use filed.....MAR 24 1987

Cultural map filed.....MAR 24 1987

Certificate No. 12137 Issued.....MAY 19 1989

Recorded.....Bk. 41.....Page.....

IN TESTIMONY WHEREOF, I.....WILLIAM J. NEWMAN.....

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th.....day of JULY.....

A.D. 19.....79.....*William J. Newman*

State Engineer