

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 FEB 7 1979 -- NEW PRIORITY DATE: DEC 13 1990

Returned to applicant for correction _____

Corrected application filed _____ Map filed FEB 7 1979

The applicant ERGS, Inc.

P.O. Box 285 of Silver Springs
Street and No. or P.O. Box No. City or Town

Nevada 89429, hereby make s. application for permission to change the
State and Zip Code No.

Place of Use

of water heretofore appropriated under Permit No. 35142

(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 4.0
Second feet, acre feet.
3. The water to be used for quasi-municipal subdivision
If for stock state number and kind of animals.
4. The water heretofore used for quasi-municipal subdivision
If for stock state number and kind of animals.
5. The water is to be diverted at the following point WELL No. 5:- Permit No. 35142: In the NE 1/4 NE 1/4 Section 30, T.18N, R.25E, MDB&M., from which the Northeast corner of said Section 30 bears N80°38'32"E, 802.00 feet.
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 same
If point of diversion is not changed, do not answer.
7. Proposed place of use See Attachment "A"
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use Section 30, T.18N, R.25E, MDB&M and E 1/2 and SW 1/4 Section 25; S 1/2 Section 26; SE 1/4 SE 1/4 and NW 1/4 Section 35; NW 1/4, N 1/2, SW 1/4 and SW 1/4 SW 1/4 Section 36, T.18N, R.24E, MDB&M.
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, motor and lines of various sizes.
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
- 13. Estimated time required to construct works..... completed
- 14. Estimated time required to complete the application of water to beneficial use..... 10 years
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

See map under Permit No. 35142 for existing place of use.

Compared..... LP/ha ja/sj Applicant ERGS, Inc.
 By s/ George F. Peek
 P.O. Box 285
 Silver Springs, Nevada 89429

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 place of use of the waters of an underground source as heretofore granted under Permit 35142 is issued subject to the terms and conditions imposed in said Permit 35142 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 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 the water begins or before the proof of completion of work is filed. 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 total combined duty of water under this permit and Permits 36634, 36635, 36637, 36638, 36639, and 36640 shall not exceed 1.1096 billion gallons annually.

^{A portion}
 CANCELLED MAY 08 1995 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
 see Judge Recanzone's Order dated 8/26/96 Cancellation of a portion rescinded.

Michael J. Newman PE, E.C. STATE ENGINEER

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 4.0 cubic feet per second, but not to exceed 943.62 million gallons annually.

- Actual construction work shall begin on or before..... April 26, 1980
- Proof of commencement of work shall be filed before..... May 26, 1980
- Work must be prosecuted with reasonable diligence and be completed on or before..... April 26, 1980
- Proof of completion of work shall be filed before..... May 26, 1980
- Application of water to beneficial use shall be made on or before..... August 26, 1984
- Proof of the application of water to beneficial use shall be filed on or before..... September 26, 1984
- Map in support of proof of beneficial use shall be filed on or before..... September 26, 1984

Commencement of work filed..... JUN 23 1980
 Completion of work filed..... JUN 18 1981
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, WILLIAM J. NEWMAN,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 26th day of FEBRUARY,
 A.D. 1980
William J. Newman
 State Engineer

Recorded..... DEC 05 1990 Bk..... Page.....
 CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Approved By 60749 0.07

Michael J. Newman PE, E.C. STATE ENGINEER

Can. rescinded 2-1-90

ATTACHMENT "A"

7. PROPOSED PLACE OF USE: Permit Nos. 27248, 26926, 26927, 27247, 35142.

W $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$;
 SE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$; NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$
 All in Section 24, T.18N, R.24E., M.D.B&M.

NE $\frac{1}{4}$; SE $\frac{1}{4}$; SW $\frac{1}{4}$ All in Section 25, T.18N., R.24E, M.D.B&M.

NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SW $\frac{1}{4}$ All in Section 36, T.18N, R.24E, M.D.B&M.

NW $\frac{1}{4}$; SE $\frac{1}{4}$ SE $\frac{1}{4}$ All in Section 35, T.18N., R.24E, M.D.B&M.

NW $\frac{1}{4}$; SW $\frac{1}{4}$ All in Section 34, T.18N, R.24E, M.D.B&M.

S $\frac{1}{2}$; All in Section 26, T.18N, R.24E, M.D.B&M.

SE $\frac{1}{4}$ of Section 18, T.18N, R.25E, M.D.B&M.

Portions of Section 19, T.18N, R.25E, M.D.B&M.

Section 30, T.18N, R.25E, M.D.B&M.

