

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 SEP 27 1979

Returned to applicant for correction

Corrected application filed Map filed SEP 27 1979

The applicant Fred L. and John J. Etchegaray

c/o 421 Court St. of Elko Nevada 89801

hereby make application for permission to change the point of diversion of a portion

of water heretofore appropriated under 30009

(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, underground, spring or other source.

2. The amount of water to be changed 2.7 cfs Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore used for irrigation & domestic 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 additional point: SE 1/4 NE 1/4 Sec. 5 T.22 N., R.54 E., M.D.M., at a point from which the E 1/4 - Sec. 5 corner bears S. 45 degrees E., 1817 ft.

6. The existing point of diversion is located within SE 1/4 NW 1/4 Sec. 5, T.22 N., R.54 E., M.D.M. at a point from which the NW corner bears N. 41 degrees 58' W., 1891.8 ft.

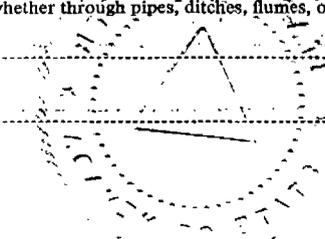
7. Proposed place of use N 1/2 (Lots 1,2,3,4, S 1/2 N 1/2) Sec. 5, T.22 N., R.54 E., M.D.M. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use N 1/2 (Lots 1,2,3,4, S 1/2 N 1/2) Sec. 5, T.22 N., R.54 E., M.D.M. Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

9. Use will be from Jan. 1 to Dec. 31 of each year.

10. Use has been from Jan. 1 to Dec. 31 of each year.

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.) Drill deep well, equip with casing, turbine pump & motor, and pipeline system with sprinklers



- 12. Estimated cost of works..... \$20,000
- 13. Estimated time required to construct works..... 2 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.

Water from this source & source under existing permit 30009 to be  
 co-mingled across N $\frac{1}{2}$  OF Sec. 5. Please send copies of notices to  
 applicants at Box 292, Eureka, NV 89316

Compared lp/js gk/ja Applicant Fred L. & John J. Etchegaray  
 By /s/ William A. Nisbet, Agent  
 421 Court Street  
 Elko, NV 89801

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 a portion of the waters of an underground source as heretofore granted under Permit 30009 is issued subject to the terms and conditions imposed in said Permit 30009 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 2.7 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..... March 19, 1981
- Proof of commencement of work shall be filed before..... April 19, 1981
- Work must be prosecuted with reasonable diligence and be completed on or before..... March 19, 1982
- Proof of completion of work shall be filed before..... April 19, 1982
- Application of water to beneficial use shall be made on or before..... March 19, 1983
- Proof of the application of water to beneficial use shall be filed on or before..... April 19, 1983
- Map in support of proof of beneficial use shall be filed on or before..... April 19, 1983

Commencement of work filed..... FEB 17 1981  
 Completion of work filed..... FEB 17 1981  
 Proof of beneficial use filed..... MAY 18 1983  
 Cultural map filed..... MAY 18 1983  
 Certificate No..... Issued JUN 22 1983

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