

ASSIGNED

AMENDED

Serial No. 40584

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 20 1980 - NEW PRIORITY DATE: JAN 6 1993

Returned to applicant for correction MAY 12 1980

Corrected application filed MAY 14 1980 Map filed MAY 14 1980

The applicant H & R Ranch Inc.

c/o Smith Star Rte. Box 144

of Orovada

Street and No. or P.O. Box No.

City or Town

Nevada 89425

State and Zip Code No.

hereby make application for permission to change the

Point of Diversion and Place of Use or a portion

of water heretofore appropriated under permit 28341, certificate 8744

(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 1.0 of 4.0 cfs

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for domestic and irrigation

Irrigation, power, mining, industrial, etc.

If for stock state number and kind of animals.

4. The water heretofore used for domestic and 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 in the NW 1/4 NW 1/4 Sec. 17, T44N, R34E,

MDB&M; or a point from which the NW corner of said Sec. 17 bears N. 45°

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 31' w. 88.5 ft.

stated.

6. The existing point of diversion is located within the NE 1/4 SW 1/4 Sec. 17, T44N, R34E, MDB&M;

or a point from which the NW corner of said Sec. 17 bears N. 42° 13' W.

If point of diversion is not changed, do not answer.

3819.80 ft.

7. Proposed place of use 40.5 acres in NW 1/4 NW 1/4, 40.4 acres NE 1/4 NW 1/4, 40.4 acres in

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

SE 1/4 NW 1/4, 40.5 acres in SW 1/4 NW 1/4 all in Sec. 17, T44N, R34E, MDB&M

161.8 acres

8. Existing place of use Sec. 17, T44N, R34E, MDB&M

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

641.6 acres

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

Month and Day

Month and Day

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

Month and Day

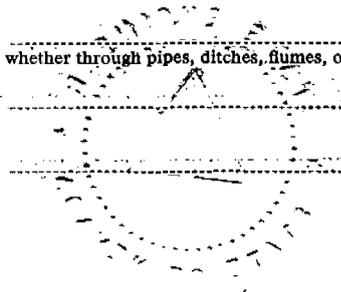
Month and Day

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.) existing 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..... completed
- 13. Estimated time required to construct works..... completed
- 14. Estimated time required to complete the application of water to beneficial use..... completed
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

It is proposed to divide the property into the N $\frac{1}{2}$ Sec. 17 and the S $\frac{1}{2}$ Sec. 17.

Compared b1/jk gk/bc Applicant H & R Ranch Inc.
 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 a portion of the waters of an underground source as heretofore granted under Permit 28341, Certificate 8744, is issued subject to the terms and conditions imposed in said Permit 28341, Certificate 8744, 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 total combined amount of water granted under this permit and Permit 15691 is limited to what the well covered under the two permits is capable of producing. If certificates of appropriation are issued under this permit and Permit 15691, the total combined amount of appropriation granted in said certificates shall not exceed what the well covered under the two permits is capable of producing.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 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..... June 9, 1981
- Proof of commencement of work shall be filed before..... July 9, 1981
- Work must be prosecuted with reasonable diligence and be completed on or before..... June 9, 1982
- Proof of completion of work shall be filed before..... July 9, 1982
- Application of water to beneficial use shall be made on or before..... June 9, 1983
- Proof of the application of water to beneficial use shall be filed on or before..... July 9, 1983
- Map in support of proof of beneficial use shall be filed on or before..... July 9, 1983

Commencement of work filed..... IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN
 Completion of work filed JUN 21 1982 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of DECEMBER
 Proof of beneficial use filed FEB 01 1994 A.D. 19 80

Cultural map filed.....
 Certificate No. 13957 Issued NOV 14 1994
NOV 19 1992 William J. Newman State Engineer

~~2407 (Rev. 10-79) OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT~~
~~STATE ENGINEER~~
Ann. Rescinded 1-6-93