

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. MAR 7 1980

Returned to applicant for correction. MAY 19 1980

Corrected application filed. NOV 3 1980 Map filed. JAN 21 1981

The applicant. Kennecott Copper Corporation

of McGill

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

Nevada 89318 hereby make application for permission to change the

point of diversion, time and place of use.

of water heretofore appropriated under Certificate Record No. 370 - Book 3, Page 370 and

Application No. 1866

(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 Steptoe Slough

Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed. 12.11 c.f.s.

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

3. The water to be used for Irrigation, Stock (500 Cattle), & Domestic

Irrigation, power, mining, industrial, etc.

If for stock state number and kind of animals.

4. The water heretofore used for Irrigation, Stock (500 Cattle), & 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. SE 1/4 NW 1/4 of Section 35, Township 19 North,

Range 63 East, Mount Diablo Base and Meridian; or at the Basset Lake spillway 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 from which the SW Corner of Section 35 bears S. 32°54'25"W. at a distance of stated. 3,685.80 feet.

6. The existing point of diversion is located within NW 1/4 SE 1/4 of Section 21, Township 19 North,

Range 63 East, Mount Diablo Base and Meridian, and at other points along the

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

stream upon the land of the applicant, as described in the Certificate Record No. 370.

7. Proposed place of use. See Attachment Exhibit "A" (1046 Acres)

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

8. Existing place of use. See Attachment Exhibit "B" (1046 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.

Month and Day

Month and Day

10. Use has been from April 1 to December 1 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.) This water will be diverted from the

State manner in which water is to be diverted, whether by dam or other works,

Steptoe Slough by the diversion dam at Basset Lake, there it will leave over whether through pipes, ditches, flumes, or other conduits.

the spillway and will be distributed to the lands it is appurtenant to by

irrigation ditches.

- 12. Estimated cost of works..... \$80,000.00
- 13. Estimated time required to construct works..... 5 years
- 14. Estimated time required to complete the application of water to beneficial use..... 6 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 ha/bc
 Protests - see page 2
 s/G. J. Allen
 G. J. Allen
 General Manager

Applicant Kennecott Minerals Company
 A Division of Kennecott Copper Corporation
 By s/Richard E. Fonger
 State Water Right Surveyor
 Kennecott Minerals Company
 McGill, Nevada 89318

.....DENIAL..... 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 application is hereby denied on the grounds that its issuance would threaten to prove detrimental to the public interest. No ruling is made on the merits of the protests.

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

Actual construction work shall begin on or before.....

Proof of commencement of work shall be filed before.....

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....
 Completion of work filed.....
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 10th day of February,
 A.D. 2009.

[Signature]
 State Engineer

Protests Filed

Protested 2/27/81 by Loran W. Deming and/or Christine Deming

Protested 3/25/81 by Irene T. Foppiano and Gordon V. Foppiano

Proposed Land to be Irrigated by Certificate Record No. 370

<u>Acres</u>	<u>Parcel</u>	<u>Section</u>	<u>Township North</u>	<u>Range East</u>
320	E $\frac{1}{2}$	9	19	63
80	W $\frac{1}{2}$ SW $\frac{1}{4}$	10	19	63
80	W $\frac{1}{2}$ NW $\frac{1}{4}$	15	19	63
160	NE $\frac{1}{4}$	16	19	63
80	E $\frac{1}{2}$ SE $\frac{1}{4}$	16	19	63
40	SE $\frac{1}{4}$ SW $\frac{1}{4}$	22	19	63
80	W $\frac{1}{2}$ SW $\frac{1}{4}$	22	19	63
160	NW $\frac{1}{4}$	27	19	63
40	NE $\frac{1}{4}$ SW $\frac{1}{4}$	27	19	63
<u>6</u>	NW $\frac{1}{4}$ NE $\frac{1}{4}$	34	19	63
1,046 Total				

Existing Place of Use - Certificate Record No. 370

<u>Acres</u>	<u>Parcel</u>	<u>Section</u>	<u>Township North</u>	<u>Range East</u>
90	E $\frac{1}{2}$ E $\frac{1}{2}$	16	19	63
35	SW $\frac{1}{4}$ NW $\frac{1}{4}$	15	19	63
58	E $\frac{1}{2}$	9	19	63
50	SE $\frac{1}{4}$	4	19	63
73	S $\frac{1}{2}$ SW $\frac{1}{4}$	3	19	63
68	NW $\frac{1}{4}$	3	19	63
75	N $\frac{1}{2}$ NE $\frac{1}{4}$	3	19	63
18	SE $\frac{1}{4}$ SW $\frac{1}{4}$	34	20	63
45	N $\frac{1}{2}$ SE $\frac{1}{4}$	34	20	63
10	SE $\frac{1}{4}$ NE $\frac{1}{4}$	34	20	63
36	NW $\frac{1}{4}$	35	20	63
20	SE $\frac{1}{4}$ SW $\frac{1}{4}$	26	20	63
65	W $\frac{1}{2}$ SE $\frac{1}{4}$	26	20	63
30	S $\frac{1}{2}$ NE $\frac{1}{4}$	26	20	63
40	E $\frac{1}{2}$ NW $\frac{1}{4}$	25	20	63
20	NW $\frac{1}{4}$ NE $\frac{1}{4}$	25	20	63
35	E $\frac{1}{2}$ SW $\frac{1}{4}$	24	20	63
78	W $\frac{1}{2}$ SE $\frac{1}{4}$	24	20	63
100	NE $\frac{1}{4}$	24	20	63
<u>100</u>	W $\frac{1}{2}$	18	20	64

1,046 acres - total