

ASSIGNED

Serial No. **40954**

AMENDED

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 26 1980**

Returned to applicant for correction..... **MAY 12 1980**

Corrected application filed..... **MAY 30 1980** Map filed..... **MAY 30 1980**

The applicant..... **Robert C. Kerley and Virginia L. Kerley**

P. O. Box 261 of **Death Valley**
Street and No. or P.O. Box No. City or Town

California 92328, hereby make application for permission to change the
State and Zip Code No.

point of diversion and place of use of a portion

of water heretofore appropriated under **Permit 19197 Certificate No. 6675**

A certified copy of the Deed to Robert C. Kerley and Virginia L. Kerley attached
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)
to original as well as the transfer fee of \$1.00.

1. The source of water is **underground**
Name of stream, lake or other source.

2. The amount of water to be changed **0.178 c.f.s.**
Second feet, acre feet.

3. The water to be used for **irrigation and domestic purposes.**
If for stock state number and kind of animals.

4. The water heretofore used for **irrigation and domestic purposes.**
If for stock state number and kind of animals.

5. The water is to be diverted at the following point **SE1/4 SE1/4 of Section 22, Township 16 South, Range 49 East, Mount Diablo Meridian or at a point from which which the South one-quarter corner of said Section 22 bears South 58° 13' 39" West 1800.93 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 **NW1/4 SE1/4 of Section 22, Township 16 South, Range 49 East, Mount Diablo Meridian or at a point from which the South one-quarter corner of said Section 22 bears South 0°19'10" West 1370 feet.**
If point of diversion is not changed, do not answer.

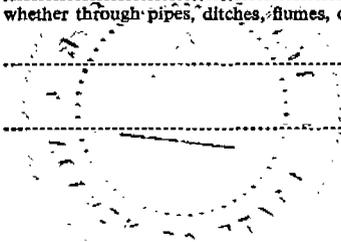
7. Proposed place of use **portion of the SE1/4 SE1/4 and a portion of the SW1/4 SE1/4, of Section 22, Township 16 South, Range 49 East, Mount Diablo Meridian, now known as Parcel Two (2) as shown on a Parcel Map recorded November 13, 1978 as Document No. 73162 of Official Records in the office of the County Recorder of Nye County, Nevada.**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use **SE1/4, and the NE1/4 of the SW1/4 of Section 22, Township 16 South, Range 49, Mount Diablo Meridian. 193.73 acres by tabulation as shown on the map under Certificate No. 6675.**
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

9. Use will be from **January 1st** to **December 31st** of each year.
Day and Month Day and Month

10. Use has been from **January 1st** to **December 31st** 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.) **Use water from existing well through pipe lines for irrigation of trees and crops and for domestic purposes.**
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..... \$ 20,000.00
- 13. Estimated time required to construct works. Well has been completed as a domestic well and pipe lines are under construction.
- 14. Estimated time required to complete the application of water to beneficial use..... 1 year.
- 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/jk gk/bc Applicant Robert C. Kerley and Virginia L. Kerley
 By s/ Tracy I. Phelps
Tracy I. Phelps, agent
P.O. Box 545 - Beatty, Nevada 89003

..... 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 19197, Certificate 6675, is issued subject to the terms and conditions imposed in said Permit 19197, Certificate 6675, 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 0.178 cubic feet per second, but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before..... April 30, 1981
 Proof of commencement of work shall be filed before..... May 30, 1981
 Work must be prosecuted with reasonable diligence and be completed on or before..... April 30, 1982
 Proof of completion of work shall be filed before..... May 30, 1982
 Application of water to beneficial use shall be made on or before..... April 30, 1984
 Proof of the application of water to beneficial use shall be filed on or before..... May 30, 1984
 Map in support of proof of beneficial use shall be filed on or before..... May 30, 1984

Commencement of work filed..... JUN 12 1983
 Completion of work filed..... JUN 18 1982
 Proof of beneficial use filed..... MAY 20 1985
 Cultural map filed..... MAY 20 1985
 Certificate No. 11260 Issued..... NOV 5 1985
 Recorded..... Bk. 38 Page.....

IN TESTIMONY WHEREOF, I, WILLIAM J. NEWMAN
 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 30th day of OCTOBER

A.D. 1980 William J. Newman
 State Engineer