

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 JAN 9 1981

Returned to applicant for correction MAR 26 1981

Corrected application filed MAY 20 1981 Map filed MAY 20 1981

The applicant Leroy F. Bush

Clover Valley of Wells,
Street and No. or P.O. Box No. City or Town

Nevada 89835 hereby make application for permission to change the
State and Zip Code No.

point of diversion

of water heretofore appropriated under Proof 01706 - Rice Creek Decree

(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 Rice Creek Forks
Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed 602.96 acre feet; 2.2399 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore used for As Decreed.
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 NW 1/4 NE 1/4 Sec. 24, T.36N., R.61E., MDB&M or at
a point from which the NE corner of said Sec. 24 bears N. 84° 31' 18" E., a distance
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
of 2196.14 feet.
stated.

6. The existing point of diversion is located within See Exhibit A attached.

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

7. Proposed place of use See Exhibit B attached.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use Same as Item No. 7.
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

9. Use will be ~~from~~ As Decreed ~~to~~ XXX of each year.
Month and Day Month and Day

10. Use has been ~~from~~ As Decreed ~~to~~ XXX 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.) Diversion by inlet structure into pipeline.
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.....\$150,000.00
- 13. Estimated time required to construct works..... 180 days.
- 14. Estimated time required to complete the application of water to beneficial use..... 180 days.
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

All existing points of diversion under the Proof will remain in use, i.e., the existing Rice Creek channel below the pipeline point of diversion will still be used for irrigation. The pipeline will become an additional point of diversion serving that portion of the Proof described in Paragraph 7 above.

Compared b/c/b1..... gcr/b1..... Applicant LEROY F. BUSH
 Pro. 8/3/81 by Blair G. Johns
 Pro. Overruled 7/16/84, Ruling #2987
 By s/Stewart R. Wilson
 Stewart R. Wilson - Agent, P.O. Box 389
 ELKO, Nevada 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 Rice Creek, as heretofore appropriated under Proof 01706 as appears in the Rice Creek Decree, in the District Court of the Fourth Judicial District of the State of Nevada, in and for the County of Elko is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 586.82 acre-feet as decreed. ~~xxxxxx feet per second~~

- Actual construction work shall begin on or before..... N/A
- Proof of commencement of work shall be filed before..... N/A
- Work must be prosecuted with reasonable diligence and be completed on or before..... September 5, 1985
- Proof of completion of work shall be filed before..... October 5, 1985
- Application of water to beneficial use shall be made on or before..... September 5, 1988
- Proof of the application of water to beneficial use shall be filed on or before..... October 5, 1988
- Map in support of proof of beneficial use shall be filed on or before..... October 5, 1988

Commencement of work filed.....
 Completion of work filed..... JAN 29 1985
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I..... PETER G. MORROS
 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this..... 5th..... day of..... September.....
 A.D. 19..... 84.....
 State Engineer

EXHIBIT A

Diversion ditches from Rice Creek under Proof 01706.

Rice Creek Nos. 1 to 9 inclusive, thence through Ditch #25
to land described in Proof 01706.

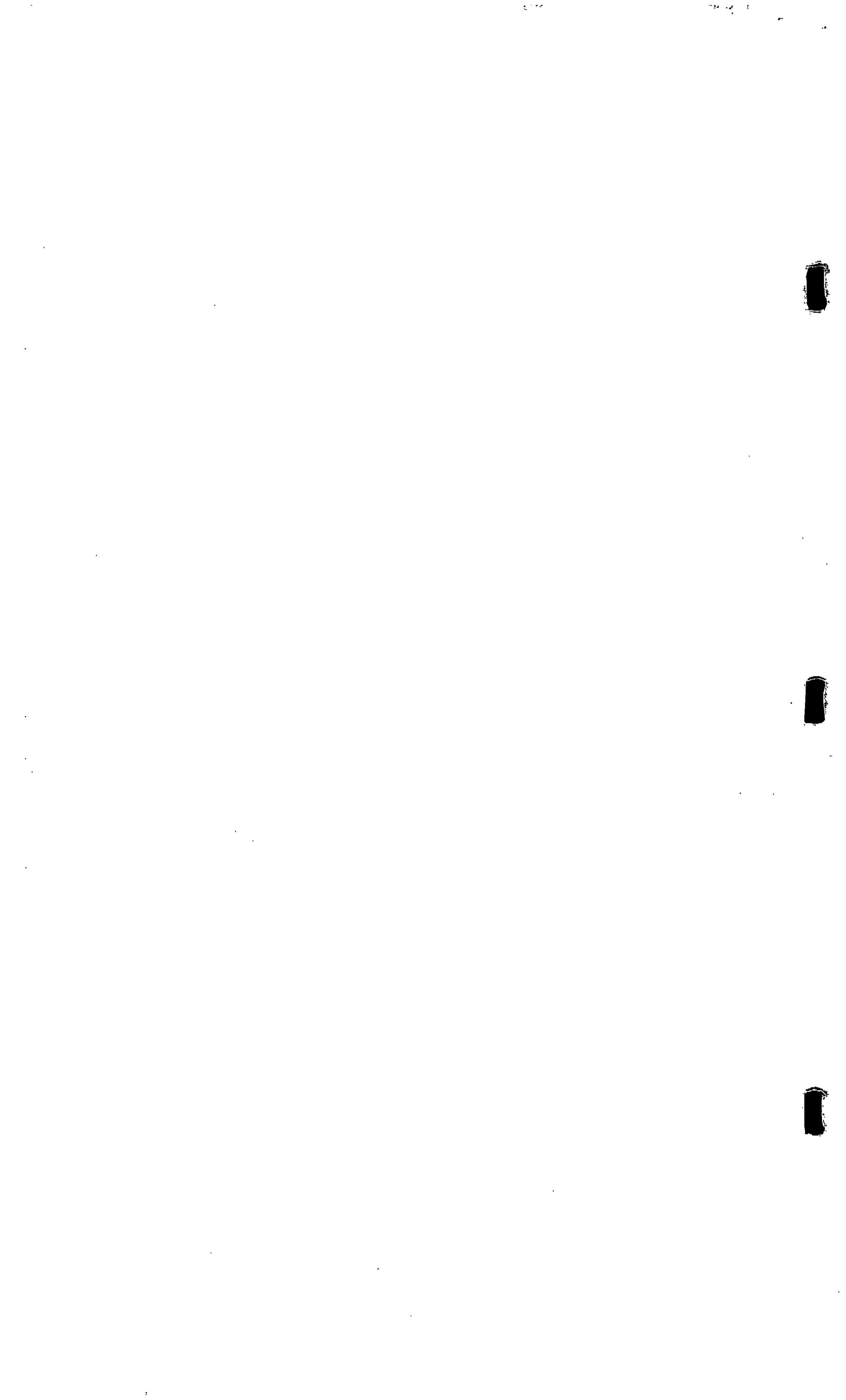


EXHIBIT B

PROPOSED PLACE OF USE -- PROOF 61706

Township 36 North, Range 52 East, M.D.B. 6M.

<u>SECTION</u>	<u>SUBSECTION</u>	<u>ACRES</u>
20	NW $\frac{1}{4}$ SW $\frac{1}{4}$	12.7
"	SW $\frac{1}{4}$ SW $\frac{1}{4}$	11.8
"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	38.8
"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	37.4
"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	39.9
"	SE $\frac{1}{4}$ SE $\frac{1}{4}$	9.8
"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	4.4
"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.6
"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	3.8 (waste)

37.44 SMT 6-5-61
per telephone call with
Stuart Wilson

4.4 4.39 SMT 6-5-61
per telephone call
with Stuart Wilson

