

ASSIGNED

43164

AMENDED

Serial No. _____

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 30 1981

Returned to applicant for correction MAR 26 1981

Corrected application filed MAY 4 1981 Map filed AUG 5 1981 under 43163

The applicant Southern Pacific Land Co. (c/o Fay & Wanda Brinkerhoff)

65 Market St., San Francisco of (P. O. Box 1059, Winnemucca, NV 89445)
Street and No. or P.O. Box No. City or Town

Ca 94105 hereby make application for permission to change the
State and Zip Code No.

point of diversion and place of use of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Application 22492
(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 1.36 of 4.13 cfs (234.64 of 715 acres)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

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

4. The water heretofore permitted for irrigation and 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 in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 35, T.39N., R.36E.,
Describe as being within a 40-acre subdivision of public survey and by course and
MDB&M; or a point from which the NE corner of said Sec. 35 bears N. 36 $^{\circ}$
distance to a section corner. If on unsurveyed land, it should be stated.
24' E. 2460 ft.

6. The existing permitted point of diversion is located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 25, T.39N., R.36E.,
If point of diversion is not changed, do not answer.
MDB&M; or a point from which the West $\frac{1}{4}$ corner of said Sec. 25 bears N.
86 $^{\circ}$ 44' W. 73.0 ft.

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

8. Existing place of use All of Sec. 25, T.39N., R.36E. MDB&M 715 acres
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
(234.64 acres to be stripped) The map illustrates the areas left under
manner of use of irrigation permit, describe acreage to be removed from irrigation.
cultivation

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

10. Use was permitted from January 1 to December 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.) completed - existing irrigation system
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

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.

The waters are to be blended with other waters from the proposed point of diversion and applied to the place of use

Southern Pacific Land Co.
Fay & Wanda Brinkerhoff

By /s/ J. R. Caldwell
P. O. Box 432
Winnemucca, Nv 89445

Compared vjw/ bl bt/ja

Protested

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 22492 is issued subject to the terms and conditions imposed in said Permit 22492 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 duty of water under this permit and Permit 43163 and 43165 shall not exceed 938.56 acre-feet per annum.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.36 cubic feet per second, but not to exceed 938.56 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before September 29, 1982

Proof of completion of work shall be filed before October 29, 1982

Application of water to beneficial use shall be made on or before September 29, 1983

Proof of the application of water to beneficial use shall be filed on or before October 29, 1983

Map in support of proof of beneficial use shall be filed on or before October 29, 1983

Completion of work filed NOV 23 1982

Proof of beneficial use filed OCT 11 1983

Cultural map filed AUG 5 1981

Certificate No. 10852 Issued DEC 15 1983

IN TESTIMONY WHEREOF, I PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 29th day of JULY

A.D. 19 82

[Signature]
State Engineer

Abrogated By: 7107 1-36

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35	NW1/4 NE1/4	T.39N.	R.36E.	37.02	Grain & Alfalfa
35	NE1/4 NE1/4	T.39N.	R.36E.	32.14	Grain & Alfalfa
35	SE1/4 NE1/4	T.39N.	R.36E.	31.36	Grain & Alfalfa
35	SW1/4 NE1/4	T.39N.	R.36E.	35.57	Grain & Alfalfa
35	NW1/4 SE1/4	T.39N.	R.36E.	39.38	Grain & Alfalfa
35	NE1/4 SE1/4	T.39N.	R.36E.	32.65	Grain & Alfalfa
35	SE1/4 SE1/4	T.39N.	R.36E.	4.91	Grain & Alfalfa
35	SW1/4 SE1/4	T.39N.	R.36E.	6.01	Grain & Alfalfa
35	NE1/4 NW1/4	T.39N.	R.36E.	7.25	Grain & Alfalfa
35	SE1/4 NW1/4	T.39N.	R.36E.	0.66	Grain & Alfalfa
35	NE1/4 SW1/4	T.39N.	R.36E.	7.35	Grain & Alfalfa
35	SE1/4 SW1/4	T.39N.	R.36E.	0.34	Grain & Alfalfa
			TOTAL	234.64	

