

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

MAR 26 1981

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed Map filed MAR 26 1981

The applicant Everett J. and Jean E. Phelps

P.O. Box 6 of Shingle Springs
Street and No. or P.O. Box No. City or Town

California 95682 hereby make application for permission to change the
State and Zip Code No.

Point of Diversion of 2.7 c.f.s.

of water heretofore appropriated under application No. 39090

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

2. The amount of water to be changed 2.7 c.f.s.
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 used 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 SE 1/4 SW 1/4 Section 20, T 23 N, R 54 E, MDB & M., at a point from which the S 1/4 corner of said Section 20, bears S 31° 00' 06" E 507.00 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 SW 1/4 SW 1/4 of Section 20, T 23 N, R 54 E, MDB & M., at a point from which the SW corner of said Section 20 bears S 44° 40' 30" W 1850.00 feet.
If point of diversion is not changed, do not answer.

7. Proposed place of use S 1/2 Section 20, T 23 N, R 54 E, MDB & M.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use S 1/2 Section 20, T 23 N, R 54 E, MDB & M.
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 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.) Well, pump, motor and sprinkler 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.....\$20,000.....
- 13. Estimated time required to construct works.....3 years.....
- 14. Estimated time required to complete the application of water to beneficial use.....5 years.....
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Well under application no. 39090 has 2.7 cfs appropriated. We are requesting to change this 2.7 cfs to a new point of diversion due to the fact that when the well under application 39090 was drilled, a dry hole was encountered. Please co-mingle these waters with permit 29557.

Compared kg/sg..... bc/bl..... Applicant.....

By S/ Alan S. Boyack
 Alan S. Boyack, Agent
 515 South Fifth Street
 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 the waters of an underground source as heretofore granted under Permit 39090 is issued subject to the terms and conditions imposed in said Permit 39090 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 2.7 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..... 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 18, 1983.....

Proof of completion of work shall be filed before..... October 18, 1983.....

Application of water to beneficial use shall be made on or before..... September 18, 1984.....

Proof of the application of water to beneficial use shall be filed on or before..... October 18, 1984.....

Map in support of proof of beneficial use shall be filed on or before..... October 18, 1984.....

Commencement of work filed.....
 Completion of work filed..... OCT 10 1985
 Proof of beneficial use filed..... OCT 10 1985
 Cultural map filed..... OCT 10 1985
 Certificate No. 11636 Issued DEC 29 1986

IN TESTIMONY WHEREOF, I, PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 18th day of SEPTEMBER, A.D. 1981

Peter G. Morros
 State Engineer