Serial No. 43642

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 APR 29 1981

Returned to applicant for correction JUL 15 1981

Corrected application filed _____ Map filed JUL 20 1981

The applicant Leslie T. Hornback, Jr.

Box 24 (Street and No. or P.O. Box No.) of Austin (City or Town)

Nevada, 89310 (State and Zip Code No.) hereby make application for permission to change the

Point of Diversion and Place of Use

of water heretofore appropriated under Permit No. 32547

(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 2.7 cfs
   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 in the NE¼ SW¼ Section 29, T. 19 N., R. 43 E., M.D.B. & M., or at a point from which the SW corner of Section 31, T.19N., R. 43 E., M.D.B. & M., bears S. 49°52' W. a distance of 10,320 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 the NE¼ SW¼ Section 30, T. 19 N., R. 43 E., M.D.B. &M., or at a point from which the SW corner of Section 31, T. 19 N., R. 43 E., M.D.B. &M., bears S. 21°22' W. a distance of 7141 feet.
   If point of diversion is not changed, do not answer.
7. Proposed place of use SW¼ Section 29, T. 19 N., R. 43 E., M.D.B. &M.
   Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use SW¼ Section 30, T. 19 N., R. 43 E., M.D.B. &M.
   Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
9. Use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.
10. Use has been from January 1 (Month and Day) to December 31 (Month and Day) of each year.
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, ditches and pipe lines
    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 $50,000.

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.

The BLM originally approved application 32547 area, but then discovered an airport lease on the area.

Carey Act Application.

Compared bl/sg bl/bc

Applicant Leslie T. Hornback, Jr.

By s/Ernest E. Muller
Ernest E. Muller, Sr., SWRS 273
750 W. Pueblo St.,
Reno, Nv., 89509

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:

This application is herewith denied on the grounds that to grant the application for irrigation purposes on lands that the applicant does not own or control and cannot demonstrate the ability to place the water to beneficial use, would not be in the public interest and welfare.

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 PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 10th day of February, A.D. 19 86

Peter G. Morros
State Engineer

2407 (Rev. 10-79)