

ASSIGNED

AMENDED

Serial No. 44352

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. AUG 25 1981

Returned to applicant for correction. NOV 13 1981

Corrected application filed. Map filed NOV 20 1981

The applicant. Clark Hartwell, c/o John D. O'Brien, Attorney

225 E. Bridger Ave., Suite 710 of Las Vegas Nevada 89101

Street and No. or P.O. Box No. City or Town State and Zip Code No.

hereby make application for permission to change the Point of Diversion, Place of Use and Manner of Use

of water heretofore appropriated under Permit 34637, Certificate 4304 (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 0.40 CFS, 169.5 acre feet/year Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation (Cemetery) and Domestic Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation (See RULING, May 25, 1979) 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 within Government Lot 3, Section 3, T.20S., R.60E., MDB&M or at a point whence the NW 1/4 Corner of said Section 3 bears N 31°49'40" E. a distance of 758.7 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 permitted point of diversion is located within the NW 1/4 SW 1/4 of Section 2, T.22S., R.61E., MDB&M, or at a point whence the SW Corner of said Section 2 bears S. 12°48'45" W. a distance of 1,498 feet. If point of diversion is not changed, do not answer.

7. Proposed place of use. The E 1/2 of Government Lot 3, said Lot 3 being the NE 1/4 NW 1/4 of Section 3, T.20S., R.60E., MDB&M, the E 1/2 SE 1/4 of Section 3, T.20S., R.60E., MDB&M, and a portion of Government Lot 2, said Lot 2 being the NW 1/4 NE 1/4 of Section 3, T.20S., R.60E., MDB&M, 41 total acres. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use is 28 acres in the NE 1/4 SW 1/4 of Section 2, T.22S., R.61E., MDB&M. Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

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

10. Use was permitted from 1 February to 1 December 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.) A new well will be drilled at the site of an existing well, a new pump and motor installed and new pumping and sprinkler pipes and flumes, or drilled well, etc. system to irrigate the cemetery lands. State manner in which water is to be diverted, i.e. diversion structure, ditches,

12. Estimated cost of works \$10,000

13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

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By s/James T. Anspach  
James T. Anspach, P.E., State Water Right Surveyor  
c/o Boyle Engineering Corp., 1785 E. Sahara,  
Ste. 300  
Las Vegas, Nevada 89104

Compared js/cs bt/bc

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 Place of Use and Point of Diversion of the waters of an underground source as heretofore granted under Permit 34637 is issued subject to the terms and conditions imposed in said Permit 34637 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 totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. 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 period of use is limited to February 1, to December 1 of each year, the manner of use is limited to irrigation, and the place of use is limited to 33.9 acres within the place of use shown on the supporting map.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.4 cubic feet per second, but not to exceed a seasonal duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources, and not to exceed 169.5 acre-feet seasonally.

Work must be prosecuted with reasonable diligence and be completed on or before April 13, 1983

Proof of completion of work shall be filed before May 13, 1983

Application of water to beneficial use shall be made on or before April 13, 1986

Proof of the application of water to beneficial use shall be filed on or before May 13, 1986

Map in support of proof of beneficial use shall be filed on or before May 13, 1986

Completion of work filed JUN 09 1986

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 13th day of APRIL,

A.D. 19 82

Peter G. Morros  
State Engineer

CANCELLED JUL 17 1991 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Richard J. [Signature] P.E. AM  
STATE ENGINEER