ASSIGNED

AMENDED

Serial No. 44505

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 SEP 2 5 1981

Returned to applicant for correction MAY 5 1982

Corrected application filed JUL 1 1982 Map filed JUL 1 1982

The applicant Ben T. & Mary L. Bartlett

890 Whitaker Lane (Street and No. or P.O. Box No.) of Fallon (City or Town)

Nevada 89406 (State and Zip Code No.) hereby make application for permission to change the

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 Permit 34303 (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 0.5 Second Foot (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Irrigation & Domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Irrigation (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 SW¼ NW¼ Section 9, T21N R35E MDB&M or the point from which the SW corner of said Section 9 Bears S 13° 51' W 2748.9' (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 NW¼ SW¼ Section 9 T21N R35E MDB&M or the point from which the W¼ corner of said Section 9 Bears N 24° 50' W 1452' (If point of diversion is not changed, do not answer.)
7. Proposed place of use Portion W½ NW¼ Section 9 T21N R35E MDB&M (64 acres) (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use S½ Section 9 T21N R35E MDB&M (37 acres NW¼ SE¼ and 27 acres SW¼ SE¼ to be removed from irrigation) (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 January 1 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted 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, Pipe & Ditches (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 $2000.00
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.

The lands being removed from irrigation are the lands outside the limits of Permit 26425 Certificate 9710 in the W½ SE¼ Section 9 T21N R35E MDB&M

By s/Ben T. Bartlett
890 Whitaker Lane
Fallon, Nevada 89406

Compared bl/js js/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 point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 34303 is issued subject to the terms and conditions imposed in said Permit 34303 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.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 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.

Work must be prosecuted with reasonable diligence and be completed on or before July 31, 1986

Proof of completion of work shall be filed before August 31, 1986

Application of water to beneficial use shall be made on or before July 31, 1987

Proof of the application of water to beneficial use shall be filed on or before August 31, 1987

Map in support of proof of beneficial use shall be filed on or before August 31, 1987

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 31st day of July, A.D. 19 85

Peter G. Morros
State Engineer

2407 (Rev. 6-81)

WITHDRAWN BY APPLICANT SEP 18 1987
Peter G. Morros
STATE ENGINEER
WITHDRAWAL REINSTATED

CANCELLED AUG 12 1998 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
STATE ENGINEER
Can. affirmed 11-16-99 Ruling 4806