

44621

Serial No. 44621

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 OCT 14 1981

Returned to applicant for correction

Corrected application filed Map filed OCT 28 1981

The applicant LaVerne D. & Eunice M. Machacek

P.O. Box 344 of Eureka City or Town

Nevada 89316 State and Zip Code No. hereby make application for permission to change the

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

of water heretofore appropriated under 19276 (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 1.664 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 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 Lot 2 (SE 1/4 NW 1/4) Section 36, T 21 N, R 53 E, MDM, at a point from which the E 1/4 corner of Section 35, T 21 N, R 53 E, MDM bears S 49° 30' W 1872 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 Lot 3 (SW 1/4 NE 1/4) Section 36, T 21 N, R 53 E, MDM, at a point from which the E 1/4 corner of said Section 36 bears S 59° 26' 30" E 1899.98 feet If point of diversion is not changed, do not answer.

7. Proposed place of use Same as existing Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 26.76 acres NW 1/4 NW 1/4, 26.32 acres NE 1/4 NW 1/4, 33.38 acres Lot 2 (SE 1/4 NW 1/4) 6.47 acres NW 1/4 NE 1/4, 38.02 acres Lot 3 (SW 1/4 NE 1/4) 38.0 acres NE 1/4 NE 1/4 and 37.34 acres Lot 4 (SE 1/4 NE 1/4) all in Section 36, T 21 N, R 53 E, MDM totaling 206.29 acres 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 to December 31 of each year. Month and Day

10. Use was permitted from January 1 to December 31 of each year. 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.) drilled and cased well equipped with motor pump and pipeline to 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 \$40,000.00

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.

Please send copies of all correspondence and notices to undersigned agent.

By William A. Nisbet
Agent
421 Court
Elko, Nevada 89801

Compared bt/bc 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 Point of Diversion of the waters of an underground source as heretofore granted under Permit 19276, Certificate 6489 is issued subject to the terms and conditions imposed in said Permit 19276, Certificate 6489 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 total combined amount of water granted under this permit and Permit 44622 is limited to what the well covered under the two permits is capable of producing. If certificates of appropriation are issued under this permit and Permit 44622, the total combined amount of appropriation granted in said certificates shall not exceed what the well covered under the two permits is capable of producing.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.664 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 March 24, 1984

Proof of completion of work shall be filed before April 24, 1984

Application of water to beneficial use shall be made on or before March 24, 1987

Proof of the application of water to beneficial use shall be filed on or before April 24, 1987

Map in support of proof of beneficial use shall be filed on or before April 24, 1987

Completion of work filed MAY 2 1984 IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed SEP 3 0 1988 my office, this 24th day of MARCH

Cultural map filed OCT 2 8 1981 A.D. 19 82

Certificate No. 12228 Issued AUG 2 5 1989

[Signature]
State Engineer