

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 NOV 16 1981

Returned to applicant for correction FEB 25 1982

Corrected application filed Map filed MAR 4 1982

The applicant W. D. and GERTRUDE EMBRY, Sr.

Star Route 15, P. O. Box 571 of Lathrop Wells  
Street and No. or P.O. Box No. City or Town

Nevada 89020 here by make application for permission to change the  
State and Zip Code No.

Point of diversion of a portion  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 28062  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

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 1.78  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Quasi-Municipal and Domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Quasi-Municipal 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 $\frac{1}{4}$ , SW $\frac{1}{4}$ , S2, T18S, R49E, M.D.B.&M.,  
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.  
R49E, M.D.B.&M., bears S 87 $^{\circ}$ , 38' 00" W., 1076.29 feet.
6. The existing permitted point of diversion is located within SE $\frac{1}{4}$ , SW $\frac{1}{4}$ , S2, T18S, R49E, M.D.  
If point of diversion is not changed, do not answer.  
B.&M., or at a point from which the closing corner S 2-3, T18S,  
R49E, M.D.B.&M., bear N 89 $^{\circ}$ , 09', 50" W, 2,482.66 feet.
7. Proposed place of use SW- $\frac{1}{4}$ , SE- $\frac{1}{4}$ , SE- $\frac{1}{4}$  SW- $\frac{1}{4}$ , portion SW- $\frac{1}{4}$  SW- $\frac{1}{4}$ , S 2, T 18S,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
R49E; and NW- $\frac{1}{4}$  NE- $\frac{1}{4}$ , portion NE- $\frac{1}{4}$  NW- $\frac{1}{4}$ , S 11, T 18S, R 49E; all  
M.D.B.&M.
8. Existing place of use Same  
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 Month and Day
10. Use was permitted 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.) Drilled well, pump and motor, 3500  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.  
gallon pressure tank and 42,000 gallon storage tank.
12. Estimated cost of works \$10,000.00
13. Estimated time required to construct works Completed

14. Estimated time required to complete the application of water to beneficial use five (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.

This well will be used in conjunction with Well No. 1 under Permit 28062, to serve the same development for a total from both sources of 88.6 mga.

/s/ W. D. Embry

By /s/ Kirk S. Anderson  
2765 S. Highland Suite 103  
Las Vegas NV 89109

Compared vjw/lmr 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 a Portion of the waters of an underground source as heretofore granted under Permit 28062 is issued subject to the terms and conditions imposed in said Permit 28062 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 duty of water under this permit and Permit 28062 shall not exceed 88.6 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.78 cubic feet per second, but not to exceed 88.6 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 23, 1983

Proof of completion of work shall be filed before February 23, 1983

Application of water to beneficial use shall be made on or before February 29, 1983

Proof of the application of water to beneficial use shall be filed on or before March 29, 1983

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed MAR 21 1983 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..... my office, this 23rd day of JULY,

Cultural map filed.....

Certificate No..... Issued.....

A.D. 19 82  
  
State Engineer

Permit 2407 (Rev. 6-81)  
Abrogated By 53182 0.63

CANCELLED 1 JUL 22 1993 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

  
STATE ENGINEER