

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 1 1982

Returned to applicant for correction

Corrected application filed Map filed APR 1 1982 under 45488

The applicant KEN H. EARP

805 Fletcher Lane of Hayward California 94544

hereby make application for permission to change the

Point of Diversion

of water heretofore appropriated under Permit Number 32094

(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.
2. The amount of water to be changed 6.0 c.f.s.
3. The water to be used for irrigation and domestic
4. The water heretofore permitted for irrigation and domestic
5. The water is to be diverted at the following point within the NW 1/4 SE 1/4 of Section 2, T.40N., R.27E., M.D.B.&M., or at a point from which the West 1/4 corner of Section 11, T.40N., R.27E., M.D.B.&M. bears S 35 22' W 6,850'.
6. The existing permitted point of diversion is located within SE 1/4 NW 1/4 of Section 11, T.40N., R.27E., M.D.B.&M., or at a point from which the North 1/4 corner of said Section 11 bears N 16 07' E 1,481'.
7. Proposed place of use unchanged.
8. Existing place of use NW 1/4 SW 1/4 Section 1; S 1/4 Section 2; SE 1/4 Section 3; NE 1/4 NE 1/4 Section 10; N 1/4 N 1/4 Lots 1-8 and 10-12 Section 11; SW 1/4, S 1/4 NW 1/4, NW 1/4 NW 1/4 Section 12; NW 1/4 NW 1/4 Section 13; N 1/4 NE 1/4 Section 14; all in T.40N., R.27E., M.D.B.&M. 1,000 acres, more or less.
9. Use will be from January 1st to December 31st of each year.
10. Use was permitted from January 1st to December 31st 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.) Drilled well and irrigation distribution system.
12. Estimated cost of works Complete.
13. Estimated time required to construct works Complete. See well log filed under 32094.

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

This application is being filed because the actual point of diversion is over 300' from the existing point of diversion.

JOHN H. MILTON, III, R.L.S., S.W.R.S., AGENT
 By s/John W. Milton III
 146 West Second Street, Winnemucca, Nevada
 89445-3493

Compared lmw/bl 11/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 32094 is issued subject to the terms and conditions imposed in said Permit 32094 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 weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The issuance of this permit reduces the duty from 4.0 acre-feet per acre per year to 3.6 acre-feet per acre per year.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second, but not to exceed a yearly duty of 3.6 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 November 27, 1985

Proof of completion of work shall be filed before December 27, 1985

Application of water to beneficial use shall be made on or before November 27, 1986

Proof of the application of water to beneficial use shall be filed on or before December 27, 1986

Map in support of proof of beneficial use shall be filed on or before December 27, 1986

Completion of work filed JAN 31 1986 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 20TH day of FEBRUARY

Cultural map filed..... A.D. 19 85

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

 State Engineer

CANCELLED DEC 6 1990 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

 STATE ENGINEER