

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
Street and No. or P.O. Box No. City or Town

California 94544 hereby make^s application for permission to change the
State and Zip Code No.

Point of Diversion

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

of water heretofore appropriated under Permit Number 33042.
(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 6.0 c.f.s.
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 within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.40N., R.27E., M.D.B.&M., or at a point from which the West $\frac{1}{4}$ corner of Section 11, T.40N., R.27E., M.D.B.&M. bears S 23 $^{\circ}$ 49' W 4,875'.
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 SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 2, T.40N., R.27E., M.D.B.&M., or at a point from the South $\frac{1}{4}$ corner of said Section 2 bears S 1 $^{\circ}$ 42' E 1,075'.
If point of diversion is not changed, do not answer.
7. Proposed place of use unchanged
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use W $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 1; S $\frac{1}{2}$ of Section 2; SE $\frac{1}{4}$ of Section 3; NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 10; N $\frac{1}{2}$ N $\frac{1}{2}$, Lots 1-8 and 10-12 Section 11; SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 12; NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 13; N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 14; all in T.40N., R.27E., M.D.B.&M. 1,000 acres, more or less.
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 1st to December 31st of each year.
Month and Day Month and Day
10. Use was permitted from January 1st to December 31st 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 and irrigation distribution 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 Complete.
13. Estimated time required to construct works Complete. See well log filed under 33042.

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

Compared 1mw/61 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 33042 is issued subject to the terms and conditions imposed in said Permit 33042 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 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,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 20TH day of FEBRUARY,

Proof of beneficial use filed.....

Cultural map filed.....

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

A.D. 19 85

 State Engineer

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


 STATE ENGINEER