

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 23 1982

Returned to applicant for correction

Corrected application filed APR 23 1982 Map filed

The applicant Ernest H. Gubler, Incorporated

P O Box 152 of Lund
Street and No. or P.O. Box No. City or Town

Nevada 89317 hereby make application for permission to change the
State and Zip Code No.

Point Of Diversion and Place Of Use.
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Application No. 33990
(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 Sources.
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 2.5 cfs.
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 & 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 in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 31, T.12N., R.62E.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B.&M., whence the Northwest Corner of said Section 31 bears N. 70 $^{\circ}$ 01'44"W.,
distance to a section corner. If on unsurveyed land, it should be stated.
4069.73 feet distant.

6. The existing permitted point of diversion is located within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, T.12N.,
If point of diversion is not changed, do not answer.
R.62E., M.D.B.&M., whence the Northwest Corner of said Section 31 bears N.
61 $^{\circ}$ 15'43"W., 2936.73 feet distant.

7. Proposed place of use Lots 2, 3 & 4 in Block 6-A; Lots 5, 6, 7, 8, 9 & 10 in Block
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
17-A of the Lund 10 Acre Plat, all in the E $\frac{1}{2}$ of Section 31, T.12N., R.62E.,
M.D.B.&M., 90 Acres.

8. Existing place of use SE $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ SW $\frac{1}{4}$ and W $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, T.12N., R.62E.,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
M.D.B.&M., 90 Acres.
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.) Through concrete ditches and flood
State manner in which water is to be diverted, i.e. diversion structure, ditches,
irrigation.
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$12,000.00

13. Estimated time required to construct works 3 years.

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

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By s/ Richard W. Forman
Richard W. Forman, Agent
P O Box 150 Ely NV 89301

Compared bc/ b1 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 the waters of an underground source as heretofore granted under Permit 33990 is issued subject to the terms and conditions imposed in said Permit 33990 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.

If this permit is cancelled or withdrawn the right will return to the source and not to the base permit.

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 1.9 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 November 13, 1986

Proof of completion of work shall be filed before December 13, 1986

Application of water to beneficial use shall be made on or before November 13, 1988

Proof of the application of water to beneficial use shall be filed on or before December 13, 1988

Map in support of proof of beneficial use shall be filed on or before December 13, 1988

Completion of work filed..... 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 13th day of November,

Cultural map filed..... A.D. 1985

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

[Handwritten Signature]
State Engineer

CANCELLED **FEB 4 1988** **BECAUSE OF FAILURE**
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
[Handwritten Signature]
STATE ENGINEER