Serial No. 48486

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 11 1984

Returned to applicant for correction

Corrected application filed Map filed OCT 11 1984 under 48485

The applicant Dalton Livestock

Clover Valley (Street and No. or P.O. Box No.) of Wells (City or Town)

Nevada 89835 (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 Permit 42990 (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 (Well No. 5A) (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 1.0 cfs (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Irrigation (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Irrigation (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 SW¼ SW¼ of Section 34, T35N, R62E, MDB & 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.) at a point from which the SW corner of said Section 34 bears S 89° 50' 00" W 1316.40 feet.
6. The existing permitted point of diversion is located within SE¼ SW¼ of Section 34, T35N, R62E, (If point of diversion is not changed, do not answer.) MDB & M., at a point from which the SW corner of said Section 34 bears S 89° 50' 00" W 1350.00 feet.
7. Proposed place of use Portion of the SE¼ NE¼, Portion of SE¼ of Section 33; SW¼ of (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.) Section 34, T35N, R62E, MDB & M.
8. Existing place of use Same as above (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 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted from January 1 (Month and Day) to December 31 (Month and Day) 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.) Well, Ditches, Pipelines and Sprinkler 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
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.

During the survey for the PBU it was found that the existing well was in a different 40 acres than the permitted Point of Diversion.

By s/Alan S. Boyack
Alan S. Boyack, Agent
515 South Fifth Street, Elko, Nevada 89801

Compared bc/bl 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 of the waters of an underground source as heretofore granted under Permit 42990 is issued subject to the terms and conditions imposed in said Permit 42990 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 measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. 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 Permits 48485 and 48486 shall not exceed 908.7 acre-feet 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 1.0 cubic feet per second, but not to exceed a yearly duty of 3.0 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 July 30, 1986

Proof of completion of work shall be filed before August 30, 1986

Application of water to beneficial use shall be made on or before July 30, 1987

Proof of the application of water to beneficial use shall be filed on or before August 30, 1987

Map in support of proof of beneficial use shall be filed on or before August 30, 1987

Completion of work filed AUG 20 1986

Proof of beneficial use filed SEP 11 1987

Cultural map filed SEP 11 1987

Certificate No. 12337 Issued NOV 14 1989

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 10th day of January, A.D. 1986

State Engineer

2407 (Rev. 6-81)