

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 SEP 18 1985

Returned to applicant for correction

Corrected application filed Map filed SEP 18 1985 under 49400

The applicant Trinox Company

Creston St. Rte. of Paso Robles City or Town

California 93447 State and Zip Code No.

hereby make application for permission to change the point of diversion and place of use

of water heretofore appropriated under permit 37033

(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.

2.93 CFS

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

2. The amount of water to be changed

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 SE 1/4 NE 1/4 NE 1/4 sec. 4, T. 12N., R. 23E M.M.

Describe as being within a 40-acre subdivision of public survey and by course and

or at a point from which the SE corner of said sec. 4 bears

distance to a section corner. If on unsurveyed land, it should be stated.

S. 2° E., a distance of 2200 feet.

6. The existing permitted point of diversion is located within NW 1/4 SW 1/4, sec. 3, T. 12N.

If point of diversion is not changed, do not answer.

R. 23E., M.D.B.&M., or at a point from which the SW corner of

said sec. 3 bears S 2° 19' 50" W., a distance of 2399.99 feet.

7. Proposed place of use 30.90 acres in NW 1/4 SW 1/4 17.36 acres in NE 1/4 SW 1/4

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

3.59 acres in SW 1/4 SW 1/4, sec. 3, and 1.44 acres in NE 1/4 SE 1/4 of sec. 4,

T. 12N., R. 23E., M.D.B.&M.

8. Existing place of use approximately 280 acres in the S 1/2 SW 1/4

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

sec. 34, T. 13N., R. 23E., and in the NW 1/4, N 1/2 SW 1/4 sec. 3,

manner of use of irrigation permit, describe acreage to be removed from irrigation.

T. 12N., R. 23E., M.D.B.&M.

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.) Well, pump and ditches

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 \$29,000.00

13. Estimated time required to construct works 14" diameter, 301' deep, Johnston deep well pump, 38 h.p. John Deere diesel, completed.

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

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Proof of Application of Water to Beneficial Use under 37033 is being filed simultaneously with this application.

By s/Bruce L. Rice  
Bruce L. Rice  
P.O. Box 130  
Smith Valley, NV 89430

Compared dn/jm 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 37033 is issued subject to the terms and conditions imposed in said Permit 37033 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.

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 total combined duty of water under Permits 49400 and 49401 shall not exceed 213.16 acre-feet annually.

The total combined diversion rate under Permits 49400 and 49401 is limited to 2.93 c.f.s.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.93 cubic feet per second, but not to exceed 213.16 acre-feet annually, 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 July 28, 1986

Proof of completion of work shall be filed before August 28, 1986

Application of water to beneficial use shall be made on or before July 28, 1987

Proof of the application of water to beneficial use shall be filed on or before August 28, 1987

Map in support of proof of beneficial use shall be filed on or before August 28, 1987

Completion of work filed MAR 19 1986 IN TESTIMONY WHEREOF, L. PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed MAR 6 1986 my office, this 28th day of January

Cultural map filed MAR 6 1986

Certificate No. 12863 Issued MAY 22 1991 A.D. 19 86

*Peter G. Morros*  
State Engineer