

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 AUG 13 1986

Returned to applicant for correction _____

Corrected application filed _____ Map filed AUG 13 1986

The applicant John C. Rose III

Kittridge Canyon of Elko
Street and No. or P.O. Box No. City or Town

Nevada 89801 hereby make application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use for a portion 0.90 cfs
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit #41885
(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 0.90 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Domestic and Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Domestic and 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 NE 1/4 SW 1/4 of Section 20, T 35 N,
Describe as being within a 40-acre subdivision of public survey and by course and
R 56 E, MDB & M., at a point from which the SW corner of said
distance to a section corner. If on unsurveyed land, it should be stated.
Section 20 bears S 44° 01' 44" W, 2277.93 feet

6. The existing permitted point of diversion is located within NW 1/4 SE 1/4 of Section 35, T 35 N,
If point of diversion is not changed, do not answer.
R 55 E, MDB & M., at a point from which the SE corner of said
Section 35 bears S 43° 14' 03" E, 2394.83 feet

7. Proposed place of use 43.695 Acres within portions of SW 1/4 NE 1/4, E 1/2 NW 1/4,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
NW 1/4 SE 1/4, SW 1/4 Section 20; portion of NW 1/4 NW 1/4 Section 29, T 35 N,
R 56 E, MDB & M.

8. Existing place of use 43.695 Acres within portions of NE 1/4 SE 1/4, portions
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
of NW 1/4 SE 1/4, portions of SW 1/4 SE 1/4, portions of SE 1/4 SE 1/4 of Section 35,
manner of use of irrigation permit, describe acreage to be removed from irrigation.
T 35 N, R 55 E, MDB & 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, Pipeline, Sprinkler System, and
State manner in which water is to be diverted, i.e. diversion structure, ditches,
Ditches
pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$20,000

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.

Applicant will be transferring the 0.90 cfs 43.695 acres to Elko
Blacksmith Shop, Inc., and these water rights will be supplemental
to any and all existing water rights on the proposed place of use.
(Certified Copies of quit claim deeds will follow at a later date.)

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

Compared js/jm pm/se

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 a portion of the waters of an underground source as heretofore granted under Permit 41885 is issued subject to the terms and conditions imposed in said Permit 41885 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. 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.

No perforations shall be put in the production casing from ground level to 100 feet.

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 0.90 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 and not to exceed 174.78 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 14, 1990

Proof of completion of work shall be filed before February 14, 1990

Application of water to beneficial use shall be made on or before January 14, 1990

Proof of the application of water to beneficial use shall be filed on or before February 14, 1990

Map in support of proof of beneficial use shall be filed on or before February 14, 1990

Completion of work filed MAR 5 1991 IN TESTIMONY WHEREOF, I PETER G. MORROS,

Proof of beneficial use filed DEC 22 1992 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed _____ my office, this 10th day of March,

Certificate No. 13762 Issued NOV 09 1993 A.D. 1989

[Handwritten Signature]
State Engineer