AMENDED

Serial No. 50379

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 NOV 24 1986

Returned to applicant for correction DEC 10 1986

Corrected application filed DEC 15 1986 Map filed DEC 24 1986

The applicant Julian W. & Edith M. Marcuerquiaga

P.O. Box 188 (Street and No. or P.O. Box No.) of Winnemucca, (City or Town)

Nevada 89445 (State and Zip Code No.) hereby make application for permission to change the

Place of Use (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit 40603 (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 .20 c.f.s. (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for quasi-municipal (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for quasi-municipal (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 NE¼ SW¼ of Section 21, T.36N., R.38E., M.D.B.&M. or at a point from which the West ¼ corner of said Section 21 bears N 82°38'05" W 2048.11'. (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 unchanged (If point of diversion is not changed, do not answer.)
7. Proposed place of use Portions of the SE¼ NW¼ and NE¼ SW¼ of Section 21, T.36N., R.38E., M.D.B. &M.; 18.02 acres (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use Portions of the SE¼ NW¼ and the NE¼ SW¼ of Section 21, T.36N., R.38E., M.D.B. &M.; 3.34 acres (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 (Month and Day) to December 31st (Month and Day) of each year.
10. Use was permitted from January 1st (Month and Day) to December 31st (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, pump, storage tank and pipelines (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 $30,000
13. Estimated time required to construct works Complete. 10" well 152' deep with concrete surface seal to 50'; 1 h.p. Franklin motor, Flint & Wallings pump and 1½"Rockwell meter

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

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

Robert N. Caldwell as agent
By s/Robert N. Caldwell
146 West Second Street
Winnemucca, Nevada 89445

Compared jjk/ se mm/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 Place of Use of the waters of an underground source as heretofore granted under Permit 40603 is issued subject to the terms and conditions imposed in said Permit 40603 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 totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. 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 amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.20 cubic feet per second, but not to exceed 4.051 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 13, 1988

Proof of completion of work shall be filed before May 13, 1988

Application of water to beneficial use shall be made on or before April 13, 1990

Proof of the application of water to beneficial use shall be filed on or before May 13, 1990

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13 day of April, A.D. 19 87

State Engineer

2407 (Rev. 6-81)

CANCELLED JUN 23 1988 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER