AMENDED

Serial No. 50408

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 DEC 10 1986

Returned to applicant for correction JAN 6 1987

Corrected application filed FEB 24 1987 Map filed

The applicant James M. and Edward H. Smiley

Smiley Ranch (Street and No. or P.O. Box No.) of Deeth (City or Town)

Nevada 89823 (State and Zip Code No.) hereby make S 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 34050 (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 .0094 cfs (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Stockwater and Domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Stockwater 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 NW¼ NE¼ of Section 7, T 37 N, R 62 E, MDB & M., at a point from which the NE corner of said Section 7 bears N 72° 34' 48" E, 2132.93 feet. (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 Same as above (If point of diversion is not changed, do not answer.)
7. Proposed place of use N½, Portions of S½ of Section 5; All of Section 7, T 37 N, R 62 E, MDB & M. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use Portions of S½ of Section 5; All of Section 7, T 37 N, R 62 E, MDB & M. (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, Pipelines and Troughs. (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 $5000
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.

This application is to increase the Place of Use of permit 34050. We are not increasing the amount of water or the number of cattle, therefore, please use the map that accompanied application 34050 for the map to accompany this application.

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

Compared cc/se

Protested

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:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

CANCELLED 2407 MAR 6-81 9 1987 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER

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

State Engineer