

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 **MAY 8 1987**

Returned to applicant for correction **JUN 18 1987**

Corrected application filed **JUN 30 1987** under 50912 Map filed

The applicant **Salmon River Cattlemen's Association, Inc.**

Box 1278 of Twin Falls
Street and No. or P.O. Box No. City or Town

Idaho 83301 hereby make ^S application for permission to change the point of diversion and place of use

of water heretofore appropriated under permit #39415
Point of diversion, manner of use, and/or place of use
(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 **Upper Devil's Creek Spring**
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed **0.025 c.f.s.**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **stockwatering (800 head of cattle)**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for **stockwatering (800 head of cattle)**
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 SE 1/4 SE 1/4 Sec. 22, T.45N., R.66E., M.D.M., from which the SE corner of Sec. 25 in said township bears S.59°41'E., 12,390 ft. dist.**
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 **SW 1/4 SW 1/4 Sec 23, T.45N., R.66E., M.D.M., from which the SE corner of Sec. 25 in said township bears S:57°20'E., 11,400 ft. dist.**
If point of diversion is not changed, do not answer.

7. Proposed place of use **SE 1/4 SE 1/4 Sec. 22 and SW 1/4 SW 1/4 Sec 23, T.45N., R.66E., M.D.M.**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use **SW 1/4 SW 1/4 Sec 23, T.45N., R.66E., M.D.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** 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.) **Improve and clean spring sites with ditches to confluence, install stockwatering trough**
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 **\$200**

13. Estimated time required to construct works **1 year**

14. Estimated time required to complete the application of water to beneficial use... 3 years

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

Please send copies of correspondence and notice to undersigned agent.

By...s/William A. Nisbet

William A. Nisbet, agent
421 Court Street. Elko, Nevada 89801

Compared...bc/bl

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:

This permit to change the point of diversion, place of use of the waters of Upper Devil's Creek Spring as heretofore granted under Permit 39415 is issued subject to the terms and conditions imposed in said Permit 39415 and with the understanding that no other rights on the source will be affected by the change proposed herein.

It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

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 0.025 cubic feet per second, or sufficient to water 800 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before August 28, 1988

Proof of completion of work shall be filed before September 28, 1988

Application of water to beneficial use shall be made on or before August 28, 1989

Proof of the application of water to beneficial use shall be filed on or before September 28, 1989

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

Completion of work filed... OCT 27 1988 IN TESTIMONY WHEREOF, I... PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed... SEP 28 1989 my office, this... 20th... day of... October...

Cultural map filed...
Certificate No. 12426 Issued MAR 6 1990 A.D. 19...87...
State Engineer