AMENDED

Serial No. 51566

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 17 1987

Returned to applicant for correction DEC 31 1987

Corrected application filed JAN 14 1988 Map filed FEB 8 1988 Under 51564

The applicant Richard M. Swallow and Vesta C. Swallow

Spring Valley Route #5, Box 23 (Street and No. or P.O. Box No.) of Ely (City or Town)

Nevada 89301 (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 No. 29219 (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 Source (Name of stream, lake, underground spring or other source.)

2. The amount of water to be changed 2.34 second feet (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)

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 SW¼ SE¼ Section 26, T 13 N, R 67 E, MDB & M, (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.) or from which the S¼ Corner of Section 35, T 13 N, R 67 E, MDB & M bears S 1° 18' W, 5,965 feet.

6. The existing permitted point of diversion is located within SW¼ SE¼ Section 26, T 13 N, R 67 E, (If point of diversion is not changed, do not answer.) MDB & M, or from which the S¼ Corner of Section 35, T 13 N, R 67 E, MDB & M bears S 1° 18' W, 5,965 feet.

7. Proposed place of use the NE¼ and the E½ of the SE¼ Section 27, the West ½ of the (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.) NW¼, the SE¼ of the NW¼ and the SW¼ of Section 26, the NE¼ of Section 34, all in T 13 N, R 67 E, MDM. 680 acres to be irrigated.

8. Existing place of use the SW¼, W½ NW¼, portion of SE¼ NW¼ of Section 26, the N½ (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.) NE¼, SW¼ NE¼ of Section 27, all in T 13 N, R 67 E, MDM, 390.28 acres. No 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.) Pumps and aluminum pipe irrigation lines. (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 $12,000.00

13. Estimated time required to construct works 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.

By s/Kenneth L. Haskew
Kenneth L. Haskew, Agent
P.O. Box 786
Goldfield, NV 89013

Compared jjk/se

Protested

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:

Applications 35632, 35633, 35634, 51564, 51565, 51566 and 51567 are herewith denied on the grounds that the applicant has not submitted the information requested by the State Engineer's office and therefore the granting of said applications without the additional information requested would not be in the public interest.

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

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 8th day of January, A.D. 19 90

State Engineer

2407 (Rev. 6-81)