

AMENDED

Serial No. 52035

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 APR 25 1988

Returned to applicant for correction MAY 11 1988

Corrected application filed JUN 14 1988 Map filed JUN 14 1988

The applicant Southern Pacific Land Company and Samuel E. King

Star Route of Battle Mountain, Nevada 89820

Street and No. or P.O. Box No. City or Town 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 Permit 49490 (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 0186 c.f.s. Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for stock water for 600 cattle Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for stock water for 600 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 SW 1/4 SW 1/4 of Section 33, Describe as being within a 40-acre subdivision of public survey and by course and

T. 34N., R. 45E., M. D. B. & M. or at a point from which the SW corner of said Section distance to a section corner. If on unsurveyed land, it should be stated.

33 bears S 11° 19' W 306'

6. The existing permitted point of diversion is located within N/A If point of diversion is not changed, do not answer.

7. Proposed place of use SE 1/4 of NW 1/4 of Section 28, T. 34N., R. 45E., and NE 1/4 of SW 1/4 of Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

Section 9, T. 33N., R. 45E., M. D. B. & M.

8. Existing place of use SW 1/4 SW 1/4 of Section 33, T. 34N., R. 45E., M. D. B. & 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 1st January to 31st December of each year. Month and Day Month and Day

10. Use was permitted from 1st January to 31st December 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.) Underground pipeline from existing point of State manner in which water is to be diverted, i.e. diversion structure, ditches,

use Water pumped by electrical submergible. Stored in troughs pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$10,000

13. Estimated time required to construct works 4 months

14. Estimated time required to complete the application of water to beneficial use..... 4 months.....

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

..... 600 head of cattle.....
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By..... s./John H. Milton III.....
John H. Milton III
146 West Second Str.
Winnemucca, NV 89445

Compared..... jjk/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 place of use of the waters of an underground source as heretofore granted under Permit 49490 is issued subject to the terms and conditions imposed in said Permit 49490 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 for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of 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.

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..... 0.019..... cubic feet per second or sufficient to water 600 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before..... March 13, 1989

Proof of completion of work shall be filed before..... April 13, 1989

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

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

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

Completion of work filed..... JAN 03 1989..... IN TESTIMONY WHEREOF, I..... PETER G. MORROS.....

Proof of beneficial use filed..... JAN 3 1989..... State Engineer of Nevada, have hereunto set my hand and the seal of my office, this..... 22nd..... day of..... November.....

Cultural map filed.....

Certificate No. 12427 Issued MAR 6 1990

A.D. 19..... 88.....

State Engineer