

AMENDED

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 18 1988
Returned to applicant for correction JUN 06 1988
Corrected application filed AUG 03 1988 Map filed AUG 03 1988 under 52103

The applicant H. H. Land & Cattle Company Jay Hunt
P.O. Box 32 of Enterprise
Street and No. or P.O. Box No. City or Town
Utah hereby make application for permission to change the
State and Zip Code No.

Place of use and point of diversion
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Permit No. 11378 Certificate 4047
(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 Horn Spring
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.002 c.f.s
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for Stock water for 75 head of cattle
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for 75 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 NW 1/4 of Section 17 T. 6 S., R. 65 E., M.D.B. & 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.
unsurveyed from which point the USMM #2 at Delamar Bears N. 44°W. 14,000 feet.

6. The existing permitted point of diversion is located within the "SE 1/4 of Section 19, T. 6 S., R. 65 E., M.D.B. & M., or at a point from which U.S. Mineral Monument #2 at Delamar bears, N. 21°W., 15,840 feet."
If point of diversion is not changed, do not answer

7. Proposed place of use See attached #7
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use at the spring-SE 1/4 Sec. 19 T. 6 S., R. 65 E., 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 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.) the existing diversion is by a 48 inch CMP over the spring. A pipeline is proposed to convey the water to the 1 1/2 inch pipeline from Tunnell Spring NO. 1.
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 \$3000

13. Estimated time required to construct works 2 years

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.

See attached #15

This application also serves to correct the recorded point of diversion.

By /s/ Richard E. Fonger
Richard E. Fonger
P.O. Box 491
Ely, Nevada 89301

Compared kh/jm pm/se

Protested 11/16/88 by Cortney S. Dahl
Pro. overruled 2/10/89, Ruling No. 3578

APPROVAL OF STATE ENGINEER

This is to certify 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 Horn Spring as heretofore granted under Permit 11378, Certificate 4047 is issued subject to the terms and conditions imposed in said Permit 11378, Certificate 4047 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.

The total combined duty of water under Permits 52103 through 52118 inclusive and 52366 shall not exceed sufficient water for 900 head of cattle.

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 0.002 cubic feet per second or sufficient to water
75 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before May 17, 1991

Proof of completion of work shall be filed before June 17, 1991

Application of water to beneficial use shall be made on or before May 17, 1993

Proof of the application of water to beneficial use shall be filed on or before June 17, 1993

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 17th day of May,

A.D. 19 89

[Signature]
State Engineer

1991
AUG 13 1991

[Signature]
STATE ENGINEER

ITEM NO. 7

Township 2 South R. 63 E. Portions of Sections 11, 12, 15; Sections 13, 22 thru 26, 35, 36 (unsurveyed).
 Township 2 South, R. 64 E.: Portions of $S\frac{1}{2}$ Sections 7, 8, & 9; Portion of Sections 15, 22, 23, 25, & 26; Sections 16 thru 21, 27 thru 36.
 Township 2 South R. 65 E. Section 31, portion of Sections 29, 30, 32, & 33.
 Township 3 South R. 63 E. Sections 1, 2, 11 thru 14, 12 thru 26, 35 & 36.
 Township 3 South R. 64 E. ALL
 Township 3 South R. 65 E. Sections 4 thru 9, 16 thru 21, 28 thru 33.
 Township 4 South R. 63 E. Sections 1, 2, 11 thru 14, 23 thru 26, 35, 36.
 Township 4 South R. 64 E. ALL
 Township 4 South R. 65 E. Sections 4 thru 9, W. $\frac{1}{2}$ of 10, 17 thru 21, 28 thru 33.
 Township 5 South R. 63 East Sections 1, 2, 11 thru 14, 23 thru 27 & 34 thru 36.
 Township 5 South R. 64 E. ALL SECTIONS
 Township 5 South R. 65 E. Sections 5 thru 8, 17 thru 20, 29 thru 32.
 Township 6 South R. 63 E. Sections 1 portions of 2, 3, 11 and 12.
 Township 6 South R. 64 E. Sections 1 thru 6, portions of 7 thru 11 & 12.
 Township 6 South R. 65 E. Sections 5 thru 8, 17, 18, 20.

Township 2 South R. 63 E. Section 14 (portion)
 Township 2 South R. 64 E. Section 10 (portion)

All in M.D.B. & M.

ITEM NO. 15

The following sources of water are to be comingled:

Conaway Springs (Pace Spring) Permit No. 6095, Certificate No. 1054;
 Rabbit Spring Proof NO. 01549;
 Cliff Spring Permit No. 780, Certificate No. 566
 Dana Spring Permit No. 4972, Certificate No. 734;
 Oak Spring Proof No. 01027;
 Cyclone Spring Permit No. 780, Certificate No. 566;
 Redrock Spring Permit No. 780, Certificate No. 566;
 Canyon Spring No. 1 Permit No 4697, Certificate No. 733;
 Canyon Spring No. 2 Permit No. 4696, Certificate NO. 732;
 Grassy Spring Proof 01027, Permit No. 10189, Certificate NO. 2403;
 Cottonwood Spring Permit No. 3270 Certificate No. 269;
 Robinson Seeps Proof No. 01398;
 Abandoned Spring Permit No. 8921, Certificate No. 1700;
 Jensen Spring- Being applied for;
 Horn Spring Permit No. 11378, Certificate No. 4047;
 Joshua Spring Permit being applied for;
 Tunnel Spring No. 1 (undivided $\frac{1}{4}$ interest) Permit No. 12388, Certificate No. 4085.

