

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 JUN 06 1988

Returned to applicant for correction

Corrected application filed Map filed JUN 06 1988

The applicant Fred A. and Mary A. Howell P. O. Box 245 of Wells Nevada 89835

hereby make application for permission to change the Point of Diversion and Place of Use for a portion (1.5 cfs) of water heretofore appropriated under permit 45754

(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 1.5 cfs 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 NE 1/4 NW 1/4 of Section 19, T37N, R61E, MDB & M. at a point from which the W 1/4 corner of said Section 19 bears S 47° 17' 48" W, 3359.65 feet.

6. The existing permitted point of diversion is located within NW 1/4 NE 1/4 of Section 19, T37N, R61E, MDB & M. at a point from which the NE corner of said Section 19 bears N 64° 09' 30" E, 2413.17 feet.

7. Proposed place of use E 1/2 Section 13; E 1/2 NE 1/4 Section 24, T37N, R60E, MDB & M, W 1/2 Section 17; All of Section 18; N 1/2 Section 19, T37N, R61E, MDB & M. (1680 acres)

8. Existing place of use A portion of S 1/2 NE 1/4, SE 1/4 Section 13; E 1/2 NE 1/4 Section 24, T37N, R60E, MDB & M, SW 1/4 Section 18; NW 1/4 Section 19, T37N, R61E, MDB & M. (626 acres)

9. Use will be from January 1 to December 31 of each year.

10. Use was permitted from January 1 to December 31 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, ditches, pipelines and sprinkler system.

12. Estimated cost of works \$30,000

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.

The waters of this application are to be co-mingled with the water of permit 45754.

BOYACK SURVEYING, AGENT
By s/Robert E. Morley
Robert E. Morley
515 South Fifth Street, Elko, Nevada 89801

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 point of diversion of a portion of the waters of an underground source as heretofore granted under Permit 45754 is issued subject to the terms and conditions imposed in said Permit 45754 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 and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

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 place of use under Permits 45754, 52188 and 52189 is limited to irrigation of 626 acres of land within the place of use.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.5 cubic feet per second, but not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before June 27, 1989

Proof of completion of work shall be filed before July 27, 1989

Application of water to beneficial use shall be made on or before October 1, 1990

Proof of the application of water to beneficial use shall be filed on or before November 1, 1990

Map in support of proof of beneficial use shall be filed on or before November 1, 1990

Completion of work filed JUL 24 1989

Proof of beneficial use filed JUL 19 1990

Cultural map filed JUL 23 1990

Certificate No. 12644 Issued JAN 24 1991

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of June

A.D. 19 89 [Signature] State Engineer