

AMENDED

Serial No. 53171

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 24 1989 -- NEW PRIORITY DATE: OCT 22 1993

Returned to applicant for correction MAY 22 1989

Corrected application filed JUL 20 1989 Map filed JUL 20 1989 under 53171

The applicant Nevada Settlers Assn'.

Star Route 3, Box 1995 of Ely City or Town

Nevada 89301 State and Zip Code No.

hereby make application for permission to change the

Point of Diversion and Place of Use.

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 32997

(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 Sources.
2. The amount of water to be changed 5.0 cfs
3. The water to be used for irrigation and domestic.
4. The water heretofore permitted for irrigation and domestic.
5. The water is to be diverted at the following point Lot 5 of Section 19, T.10 N., R.57 E., M.D.B. & M., whence the Northeast Corner of said Section 19 bears N. 89°14'18"E., 2,671.02 feet distant.
6. The existing permitted point of diversion is located within the NE 1/4 NE 1/4 of Section 19, T.10 N., R.57 E., M.D.B. & M., whence the Northeast Corner of said Section 19 bears N. 45°00'00" E., 50.00 feet distant.
7. Proposed place of use the W 1/2 of Section 19, T.10 N., R.57 E., M.D.B. & M., 290.76 acres.
8. Existing place of use All of Section 19, T.10 N., R.57 E., M.D.B. & M., 290.76 acres.
9. Use will be from January 1st to December 31st of each year.
10. Use was permitted from January 1st to December 31st 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.) Drilling and equipping a well and installing the distribution and irrigation systems.
12. Estimated cost of works \$20,000.00
13. Estimated time required to construct works 5 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.

This application supports a Carey Land Act application and development is pending permission from the Division of State Lands.

s/ Richard W. Forman
By Richard W. Forman Agent
P.O. Box 150
Ely, Nevada 89301

Compared pm/jm am/vjw

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 the waters of an underground source as heretofore granted under Permit 32997 is issued subject to the terms and conditions imposed in said Permit 32997 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 weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change 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 this permit shall be limited to the irrigation of 290.76 acres in Lots 3, 4, 5, 6, 7, 8 and the E 1/2 SW 1/4, Section 19, T.10N., R.57E. M.D.B. & M.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not

to exceed 5.0 cubic feet per second, but not to exceed 1163 acre-feet annually, and not to exceed a yearly duty of 4.0 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 17, 1991

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

Application of water to beneficial use shall be made on or before June 17, 1992

Proof of the application of water to beneficial use shall be filed on or before July 17, 1992

Map in support of proof of beneficial use shall be filed on or before July 17, 1992

Completion of work filed IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed my office, this 6th day of November

Cultural map filed A.D. 19 90

Certificate No. Issued [Signature] State Engineer

2407 (Rev. 6-81)

CANCELLED JUL 12 1993 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

CANCELLED JAN 12 1995 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

[Signature] STATE ENGINEER 10/27/93

[Signature] STATE ENGINEER