

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. DEC 05 1989

Returned to applicant for correction.

Corrected application filed. Map filed. DEC 05 1989

The applicant. Faye C. and Anne E. Barger

P.O. Box 16 of Deeth Nevada 89823

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 #33923

(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 (Well #1)

2. The amount of water to be changed. 4.5 cfs

3. The water to be used for. Irrigation

4. The water heretofore permitted for. Irrigation

5. The water is to be diverted at the following point. Same as existing

distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within within the SW 1/4 NE 1/4 Section 11, T 39 N, R 60 E, MDM from which the NW corner of said section bears N 43° 47' W 3,744 feet distance

7. Proposed place of use. 2,600 acres within portions of: T 39 N, R 60 E, MDM, Section 1: W 1/2 W 1/2; Section 2: All; Section 3: NE 1/4; Section 11: All T 40 N, R 60 E, MDM; Section 25: N 1/2 SW 1/4, W 1/2 SE 1/4; Section 26: E 1/2 SE 1/4; Section 34: E 1/4; Section 35: All; Section 36: NW 1/4

8. Existing place of use. 520 acres within Section 11, T 39 N, R 60 E, MDM

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.) deep well turbine pumps, inter-connected by means of 8" and 10" dia. pipeline system, distributing water to 20 pivot arm sprinkler system

12. Estimated cost of works. \$50,000.00

13. Estimated time required to construct works. One year

14. Estimated time required to complete the application of water to beneficial use.....Two 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 to change place of use is made for the purpose of complete co-mingling of the waters permitted under 33923, 33924, 35315, 35316, 35317, 47478 and 47479. Please send copies of all notices and correspondence to undersigned agent.

s/William A. Nisbet
By Agent
421 Court Elko, Nevada 89801

Compared.....bp/CC.....am/vjw.....

Protested.....

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 an underground source as heretofore granted under Permit 33923 is issued subject to the terms and conditions imposed in said Permit 33923 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 35315, 35316, 35317, 54207 and 54208 shall not exceed 7536 acre-feet annually.

This permit is issued subject to the State Engineer's ruling of August 3, 1979. The place of use of this permit is limited to the irrigation 2512 within the described place of use.

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.....4.5.....cubic feet per second, and not to exceed a yearly duty of 1560 acre-feet, and 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.....January 6, 1991.....

Proof of completion of work shall be filed before.....February 6, 1991.....

Application of water to beneficial use shall be made on or before.....January 6, 1992.....

Proof of the application of water to beneficial use shall be filed on or before.....February 6, 1992.....

Map in support of proof of beneficial use shall be filed on or before.....February 6, 1992.....

Completion of work filed.....DEC 21 1990..... IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

Proof of beneficial use filed.....DEC 21 1990..... State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed..... office, this 6th day of November

Certificate No. 13207 Issued JAN 8 1992 A.D. 19 90

[Signature] State Engineer