

ASSIGNED

Serial No. 54743

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 10 1990

Returned to applicant for correction

Corrected application filed Map filed MAY 10 1990

The applicant McDougal Livestock Co.

Rt. 1 Box 94 of Lovelock Nevada 89419

hereby make application for permission to change the point of diversion and the place of use of a portion of water heretofore appropriated under Proof 0064, Bartlett Decree No. 2804, Humboldt River

Adjudication identify right in Decree.

- 1. The source of water is Humboldt River
2. The amount of water to be changed 97.32 acre feet
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 Sommers Ditch (see remarks), Sommers Dam located in the SW 1/4 SW 1/4 Section 31, T.26N., R.32E., M.D.B. & M.
6. The existing permitted point of diversion is located within Old Channel Canal as decreed (see remarks), Pitt Dam located in the NE 1/4 SE 1/4 of Section 6, T.27N., R.32E., M.D.B. & M.
7. Proposed place of use SW 1/4 SW 1/4, NW 1/4 SW 1/4, SE 1/4 NW 1/4, SW 1/4 NW 1/4, Lot 3 & Lot 4 of Section 2, T.25N., R.31E., M.D.B. & M. (see remarks) 32.44 acres
8. Existing place of use portions of SE 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 SE 1/4, NE 1/4 SE 1/4, SW 1/4 SE 1/4, SE 1/4 SE 1/4, and SE 1/4 SW 1/4 of Section 15, T.27N., R.31E., M.D.B. & M. (see remarks) 32.44 acres
9. Use will be from March 15th to September 15th of each year.
10. Use was permitted from March 15th to September 15th 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.) Water is to be diverted from the Humboldt River by way of existing canal and ditch system.
12. Estimated cost of works in excess of \$1000.
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.

This application is to change the place of use and point of diversion of water from the Humboldt River. Both places of use are inside the Pershing County Water Conservation District. Both points of diversion and places of use are covered by the Bartlett Decree No. 2804.

By Desert-Mountain, Inc. as agent
By s/John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared pm/ bp am/se

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 point of diversion and place of use of a portion of the waters of Humboldt River as heretofore appropriated under Proof No. 0064 as appears in the Humboldt River Decree No. 2804 entered October 20, 1931 and October 7, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

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 0.264 cubic feet per second and shall not exceed 97.32 acre-feet per irrigation season as designated by the decree.

Work must be prosecuted with reasonable diligence and be completed on or before November 27, 1992

Proof of completion of work shall be filed before December 27, 1992

Application of water to beneficial use shall be made on or before November 27, 1994

Proof of the application of water to beneficial use shall be filed on or before December 27, 1994

Map in support of proof of beneficial use shall be filed on or before December 27, 1994

Completion of work filed JAN 13 1993

Proof of beneficial use filed JAN 26 1995

Cultural map filed JAN 26 1995

Certificate No. 14492 Issued DEC 24 1996

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

office, this 27th day of November

A.D. 19 90

[Signature of R. Michael Turnipseed, P.E.]
State Engineer