ASSIGNED

AMENDED

Serial No. 55426

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 OCT 30 1990

Returned to applicant for correction NOV 27 1990

Corrected application filed ..... Map filed JAN 24 1991

The applicant Richard H. Guelich III

P.O. Box 66689 (Street and No. or P.O. Box No.) of Scotts Valley (City or Town)

CA. 95067-6689 (State and Zip Code No.) hereby make.... application for permission to change the

Point of Diversion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit # 44693 (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 5.0 cfs (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Irrigation & domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Irrigation & 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 within the SW¼ of the NW¼, Sec. 23 T19N, R47E (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.) MDB&M at a point bearing N 43° 41' 58 W 1908.59 feet to the NW corner of Sec. 23
6. The existing permitted point of diversion is located within within the NW¼ of NW¼ Sec. 23, T19N, R47E, MDB&M at a point that bears S 44° 48' 01" E a distance of 1830.25 feet from the NW cor. of said Sec. 23 (If point of diversion is not changed, do not answer.)
7. Proposed place of use 263.54 ac being a portion of the NW¼ of Section 23 and the NE¼ of Section 22 T19N, R47E MDB&M (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use same as proposed (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 Jan 1st (Month and Day) to Dec 31st (Month and Day) of each year.
10. Use was permitted from Jan 1st (Month and Day) to Dec 31st (Month and Day) 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.) Drill and case well, equip w/ deep well turbine, ditches and laterals to place of use (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 $10,000
13. Estimated time required to construct works 5 yrs

14. Estimated time required to complete the application of water to beneficial use 5 yrs

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

To correct original pt. of diversion

By s/ Richard H. Guelich III
P.O. Box 66689
Scotts Valley, CA. 95067-6689

Compared am/jm am/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 the waters of an underground source as heretofore granted under Permit 44693 is issued subject to the terms and conditions imposed in said Permit 44693 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 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, 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 April 3, 1992

Proof of completion of work shall be filed before May 3, 1992

Application of water to beneficial use shall be made on or before September 3, 1992

Proof of the application of water to beneficial use shall be filed on or before October 3, 1992

Map in support of proof of beneficial use shall be filed on or before October 3, 1992

Completion of work filed AUG 1 8 1992

Proof of beneficial use filed AUG 1 8 1992

Cultural map filed

Certificate No. 14096 Issued MAR 0 9 1995

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 31st day of March, A.D. 19 92

R. Michael Turnipseed P.E.
State Engineer

(O)-1108 (Rev. 6-81)