

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 NOV 09 1990

Returned to applicant for correction JAN 25 1991

Corrected application filed Map filed FEB 01 1991

The applicant John C. Rose III

Kittridge Canyon of Elko Nevada 89801 Street and No. or P.O. Box No. City or Town

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 Permit 50070 of water heretofore appropriated under 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 0.10 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 SW 1/4 of Section 35, T35N, R55E, MDB&M., Describe as being within a 40-acre subdivision of public survey and by course and at a point from which the SE corner of said Section 35 bears S 65° 31' 37" E, distance to a section corner. If on unsurveyed land, it should be stated. 3524.32 feet.

6. The existing permitted point of diversion is located within NE 1/4 SE 1/4 of Section 35, T35N, R55E, MDB&M., at a point from which the SE corner of said Section 35 bears S 7° 58' 34" E, 2220.88 feet. If point of diversion is not changed, do not answer.

7. Proposed place of use. A portion of the NE 1/4 SW 1/4 of Section 35, T35N, R55E, MDB&M. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated. 4.855 acres

8. Existing place of use. 4.855 acres in the NE 1/4 SE 1/4 of Section 35, T35N, R55E, MDB&M. 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 January 1 to December 31 of each year. Month and Day

10. Use was permitted from January 1 to December 31 of each year. Month and Day

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, Pipeline and Sprinkler System 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 \$15,000

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:

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By HIGH DESERT Engineering, Agent  
s/Robert E. Morley  
Robert E. Morley  
515 South Fifth Street  
Elko, Nevada 89801

Compared bc/bc 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 and place of use of the waters of an underground source as heretofore granted under Permit 50070 is issued subject to the terms and conditions imposed in said Permit 50070 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 totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. 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 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 0.10 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources, but not to exceed 19.42 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 14, 1993

Proof of completion of work shall be filed before February 14, 1993

Application of water to beneficial use shall be made on or before January 14, 1994

Proof of the application of water to beneficial use shall be filed on or before February 14, 1994

Map in support of proof of beneficial use shall be filed on or before February 14, 1994

Completion of work filed FEB 12 1993

Proof of beneficial use filed MAR 19 1997

Cultural map filed MAR 19 1997

Certificate No. 14764 Issued DEC 10 1997

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 14th day of April,

A.D. 19 92

*[Signature]*  
State Engineer