

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 15 1991

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUN 07 1991

The applicant David B. and Sharon L. Davis

3582 Courtside Circle of Huntington Beach
Street and No. or P.O. Box No. City or Town

California 92649 hereby make... application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 46631
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 0.1 c.f.s. (20 Acre Feet)
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 SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, T.12N., R.19E.
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.B.&M. or at a point from which the NE corner of said Section 3 bears N. 45⁰
distance to a section corner. If on unsurveyed land, it should be stated.
37' 49" E. a distance of 2186.16 feet.

6. The existing permitted point of diversion is located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, T.14N., R.20E.,
If point of diversion is not changed, do not answer.
M.D.B.&M. or at a point from which the W $\frac{1}{4}$
corner of Section 32, T.14N., R.20E. M.D.B.&M. bears S. 20⁰ 48' 51" E. a
distance of 3626.60 feet. Please refer to P.B.U. Map Filed under 46631.

7. Proposed place of use portions of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ NE $\frac{1}{4}$
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
Section 3, T.12N., R.19E. M.D.B.&M. (57⁺ acres)

8. Existing place of use 5 acres within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 30, T.14N., R.20E., M.D.B.&M.
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
Please refer to the P.B.U. Map filed under 46631.
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 Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day 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.) Drilled well, pump, motor and meter to the
State manner in which water is to be diverted, i.e. diversion structure,
conveyance system to be commingled or to supplement the flow of Motts Creek.
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$15,000.00

13. Estimated time required to construct works 2 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:

The property filed under the proposed place of use is held under claim of vested right for a portion of 1/4 of the flow of Motts Creek. The request to change will be supplemental to the vested right for a total duty from the underground right not to exceed 20 AFA over the entire 57⁺ acres provided in the place of use.

By s/George W. Thiel
THIEL, WINCHELL & ASSOCIATES, INC.
34 Lakes Blvd., Suite 101
Dayton, NV. 89403

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 46631, Certificate 12891 is issued subject to the terms and conditions imposed in said Permit 46631, Certificate 12891 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.1cubic feet per second, but not to exceed 20 acre-
feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before..... November 4, 1993

Proof of completion of work shall be filed before..... December 4, 1993

Application of water to beneficial use shall be made on or before..... November 4, 1996

Proof of the application of water to beneficial use shall be filed on or before..... December 4, 1996

Map in support of proof of beneficial use shall be filed on or before..... December 4, 1996

OCT 14 1993

Completion of work filed.....

DEC 27 1996

Proof of beneficial use filed.....

JUL 16 1996

Cultural map filed.....

14890

APR 13 1998

Certificate No. Issued

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 4th day of November

A.D. 19 91

[Signature]
State Engineer

(PERMIT TERMS CONTINUED)

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

This permit is issued with the understanding that the place of use of the 20 acre-feet shall be limited to land historically irrigated by Motts Creek, subject to adjudication by the Office of the State Engineer under the authority of NRS 533.090 through 533.320.