

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 AUG 30 1991

Returned to applicant for correction _____

Corrected application filed _____ Map filed AUG 30 1991 under 56716

The applicant Frank P. Martin and Edna E. Martin

Star Route of Battle Mountain
Street and No. or P.O. Box No. City or Town

Nevada 89820 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 43859
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 3.0 c.f.s.
Second foot, acre foot. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation
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 NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T.24N.,
Describe as being within a 40-acre subdivision of public survey and by course and
R.41E., M.D.B.&M. or at a point from which the West $\frac{1}{4}$ corner of said Section
distance to a section corner. If on unsurveyed land, it should be stated.
3 bears N 78 $^{\circ}$ 02' W 237.0'.

6. The existing permitted point of diversion is located within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 3, T.24N.,
If point of diversion is not changed, do not answer.
R.41E., M.D.B.&M. or at a point from which the W $\frac{1}{4}$ corner of said Section 3
bears N 85 $^{\circ}$ 48' W 1239.0'.

7. Proposed place of use 27.8 ac. in Lot 4, 40.62 ac. in Lot 3, 27.0 ac. in the SW $\frac{1}{4}$ NW $\frac{1}{4}$,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
40.0 ac. in the SE $\frac{1}{4}$ NW $\frac{1}{4}$,
28.0 ac. in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 16.6 ac. in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, 23.6 ac. in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ and
12.8 ac. in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, all within Sec. 3, T.24N., R.41E., M.D.B.&M.,
216.42 total acres.

8. Existing place of use 27.8 ac. in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, 27.0 ac. in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, 23.9 ac. in the
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
NE $\frac{1}{4}$ NW $\frac{1}{4}$, 24.7 ac. in
manner of use of irrigation permit, describe acreage to be removed from irrigation.
the SE $\frac{1}{4}$ NW $\frac{1}{4}$, 28.0 ac. in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, 23.6 ac. in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, 16.6 ac. in the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 12.8 ac. in the SE $\frac{1}{4}$ SW $\frac{1}{4}$,
all within Sec. 3, T.24N., R.41E., M.D.B.&M., 184.4 total acres.

9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day

10. Use was permitted from January 1st to December 31st 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 irrigation
State manner in which water is to be diverted, i.e. diversion structure,
system.
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works -in excess of \$15,000.00

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 s/Frank P. Martin/Edna E. Martin
Star Route
Battle Mountain, NV 89820

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 43859 is issued subject to the terms and conditions imposed in said Permit 43859 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 total combined duty of water under Permits 56716 and 56717 shall not exceed 737.6 acre-feet annually.

The well drilled under Permit 43859 shall be plugged and abandoned within 30 days from the issuance of this permit in accordance with the Nevada "Regulations for Water Well and Related Drilling".

The land irrigated under permits 56716 and 56717 shall not exceed 184.4 acres within the permitted place of use.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.00 cubic feet per second, but not to exceed 737.6 acre-feet annually, 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 29, 1993

Proof of completion of work shall be filed before May 29, 1993

Application of water to beneficial use shall be made on or before October 29, 1994

Proof of the application of water to beneficial use shall be filed on or before November 29, 1994

Map in support of proof of beneficial use shall be filed on or before November 29, 1994

Completion of work filed MAR 16 1992

Proof of beneficial use filed JAN 21 1993

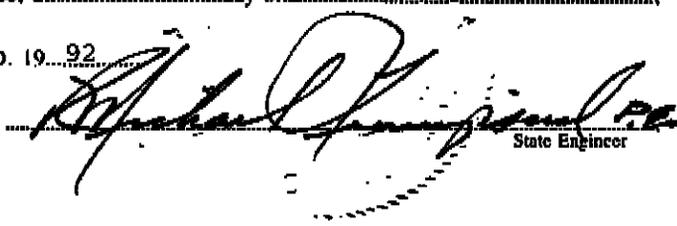
Cultural map filed.....

Certificate No. 13745 Issued SEP 16 1993

Abrogated By 67434T 177
Exp. 5-31-02

IN TESTIMONY WHEREOF, I, RE MICHAEL TURNIPSEED, P. E.
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 27th day of February

A.D. 19 92


State Engineer