

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 01 1992

Returned to applicant for correction

Corrected application filed Map filed MAY 01 1992

The applicant Henry and Marian Filippini

Post Office Box 367 of Battle Mountain

Nevada 89820 State and Zip Code No. hereby make application for permission to change the

Point of Diversion and Place of Use of a portion

of water heretofore appropriated under Permit 27088, Certificate 8722

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

2. The amount of water to be changed 2.2 c.f.s., 520 acre-feet annually

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 SW 1/4 NW 1/4 Section 28, T.29N., R.43E., MDB&M, or at a point from which the N 1/4 corner of said Section 28 bears North 41° 22' East, 3463 feet

6. The existing permitted point of diversion is located within SW 1/4 NE 1/4 Section 17, T.29N., R.43E., MDB&M, or at a point from which the N 1/4 corner of said Section 17 bears North 2° 03' West, 1401.0 feet

7. Proposed place of use 260 acres within the N 1/2 Section 28, T.29N., R.43E., MDB&M

8. Existing place of use NW 1/4 NE 1/4 (40.00 ac.), NE 1/4 NE 1/4 (40.00 ac.), SW 1/4 NE 1/4 (40.00 ac.), SE 1/4 NE 1/4 (40.00 ac.), NW 1/4 SE 1/4 (40.00 ac.), NE 1/4 SE 1/4 (40.00 ac.), SW 1/4 SE 1/4 (40.00 ac.), SE 1/4 SE 1/4 (40.00 ac.) Section 17, T.29N., R.43E., MDB&M. 260 acres in the manner of use of irrigation permit, describe acreage to be removed from irrigation. NE 1/4 (160 ac.), E 1/2 SE 1/4 (80 ac.) and N 1/2 NW 1/4 SE 1/4 (20 ac.) to be removed from irrigation as shown on the supporting map

9. Use will be from January 1 to December 31 of each year

10. Use was permitted from January 1 to December 31 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.) well, pump, motor and center pivot irrigation system

12. Estimated cost of works in excess of \$20,000.00

13. Estimated time required to construct works 3 months

14. Estimated time required to complete the application of water to beneficial use..... 2 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 being filed as a result of the 4/24/92 letter to Henry A. Filippini from Thomas K. Gallagher. The applicants were not aware that change applications to utilize the well under Permit 27090 had not been filed until they began drilling the replacement well.

By s/Bruce R. Scott
Bruce R. Scott, Resource Concepts, Inc.
340 North Minnesota Street
Carson City, Nevada 89703

Compared bc/bc ab/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 a portion of the waters of an underground source as heretofore granted under Permit 27088, Certificate 8722 is issued subject to the terms and conditions imposed in said Permit 27088, Certificate 8722 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.

The total combined duty of water under Permits 57580 and 57581 shall not exceed 1040 acre-feet annually for the irrigation of 260 acres within the N 1/2 Section 28, T.29N., R.43E., MDB&M.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.2 cubic feet per second, but not to exceed 520 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 October 15, 1993

Proof of completion of work shall be filed before November 15, 1993

Application of water to beneficial use shall be made on or before October 15, 1995

Proof of the application of water to beneficial use shall be filed on or before November 15, 1995

Map in support of proof of beneficial use shall be filed on or before November 15, 1995

Completion of work filed DEC 16 1993

Proof of beneficial use filed DEC 02 1996

Cultural map filed.....

Certificate No. 14792 Issued DEC 16 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 7th day of July

A.D. 19 93

[Signature]
State Engineer

WITHDRAWN BY *[Signature]* DEC 02 1996
[Signature]
STATE ENGINEER *APORTION BEING .848 cfs, and 17.93 afa
(O)-1108 (Rev. 6-7-93)

(PERMIT TERMS CONTINUED)

The issuance of Permits 57580 and 57581 will reduce the amount of land irrigated under Permits 27088, Certificate 8722 and Permit 27089, Certificate 8723 to 60 acres within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ (40 acres) and the S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ (20 acres) all in Section 17, T.29N., R.43E., MDB&M.

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