

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 23 1992

Returned to applicant for correction.

Corrected application filed. Map filed. OCT 23 1992

The applicant State of Nevada, Department of Wildlife
P.O. Box 10678 of Reno
Nevada, 89520

hereby make... application for permission to change the Point of Diversion, Place of Use and Manner of Use of a portion of water heretofore appropriated under Permit 51728, 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 Humboldt River Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.317 c.f.s., 116.73 ac-feet per season Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Wildlife purposes 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 NE 1/4 NE 1/4, Section 18, T.30N., R.33E., M.D.B.&M, or at a point from which the North 1/4 corner of said Section 18 bears distance to a section corner. If on unsurveyed land, it should be stated. N 62° 10' 30" W a distance of 1983.95 feet

6. The existing permitted point of diversion is located within Union Canal as decreed NE 1/4 SE 1/4, Section 6, T.27N., R.32E., M.D.B.&M. or at a point from which the NE Corner of said Section 6 bears N 4° 27' 33" E a distance of 1668.18 Feet (see remarks)

7. Proposed place of use Section 1, T.24N., R.29E., M.D.B.&M; Section 3,4,5,6,8 and 9, T.24N., R.30E., M.D.B.&M; Describe by legal subdivisions. If for irrigation state number of acres to be irrigated. Section 24, 25 and 36, T.25N., R.29E., M.D.B.&M.; Section 3,4,5,7,8,9,10,15,16, 17,18,19,20,21,22,27,28,29,30,31,32,33 and 34, T.25N., R.30E., M.D.B.&M.

8. Existing place of use N 1/2 NE 1/4 and SW 1/4 NE 1/4 of Section 31, T.26N., R.31E., M.D.B.&M., 38.91 acres (see remarks) 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 March 15 to September 15 of each year. Month and Day

10. Use was permitted from March 15 to September 15 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.) water is to be diverted from Rye Patch Dam, down the Humboldt River, through Pershing County Irrigation Project to Toulon Drain to Place of Use as described 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: In Place

13. Estimated time required to construct works: complete

14. Estimated time required to complete the application of water to beneficial use..... 4 years

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

Existing Point of Diversion was tied to a section corner based on scaling distance from the 7.5 minute U.S.G.S. Lovelock Quadrangle

By s/Katherine Rice P.O. Box 130 Smith NV 89430

Compared bc/bc dl/cms

Protested Feb. 23 by: Pershing County Water Conservation District: W/D 10-01-98 Feb. 26 by: Bureau of Reclamation W/D 9-25-98 (Stipulation) (Stipulation)

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, place of use and manner of use of a portion of the waters of Permit 51728, which changed the point of diversion and place of use of the Humboldt River as heretofore appropriated under Proof 00701, as appears in the Humboldt River Decree No. 2804 entered October 20, 1931, and October 7, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be effected by the change proposed herein.

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.

This permit is issued with the recognition of the agreement dated March 31, 1998, between the permittee and the protestants.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.317 cubic feet per second, but not to exceed 116.73 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before January 7, 2001
Proof of completion of work shall be filed before February 7, 2001
Application of water to beneficial use shall be made on or before January 7, 2003
Proof of the application of water to beneficial use shall be filed on or before February 7, 2003
Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed APR 13 2001
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E., State Engineer of Nevada, have herunto set my hand and the seal of my office, this 7th day of January A.D. 1999 Michael Turnipseed PE State Engineer