

ASSIGNED

AMENDED

Serial No. **58447**

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..... **DEC 30 1992**
Returned to applicant for correction..... **FEB 12 1993**
Corrected application filed..... **MAR 19 1993** Map filed..... **MAR 19 1993**

The applicant..... **WAYNE and/or RUBY LISTER**
P. O. Box 402 RUBY of Pioche, Nevada 89043
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 of a portion
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under..... **Permit No. 46205**
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..... **2.0 second feet**
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for..... **irrigation domestic**
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for..... **irrigation 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..... **located within the NE 1/4 NW 1/4 of Section 21, T2N, R67E, MDB&M; or at a point from which the N 1/4 corner of said Section 21 bears N 22° 37' 11.6" E 130 feet, more or less.**
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within..... **the NW 1/4 NW 1/4 Sec. 21, T2N, R67E, MDB&M Lincoln County, Nevada; or at a point from which the NW Corner of said Section 21 bears N87°27'W 1107 ft, more or less. Map filed with application No. 41411**
If point of diversion is not changed, do not answer.
7. Proposed place of use..... **SE 1/4 SW 1/4 Section 16, and the N 1/2 NW 1/4 Section 21 all within T2N, R67E, MDB&M Lincoln County, Nevada.**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use..... **SE 1/4 SW 1/4 Section 16, and the N 1/2 NW 1/4 Section 21 all within T2N, R67E, MDB&M, Lincoln County, Nevada**
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-st** to **December 31-st** of each year.
Month and Day Month and Day
10. Use was permitted from..... **January 1-st** to **December 31-st** 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.)..... **Well, casing, pump, piping for 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..... **one year**

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

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

Water is to be co-mingled with Permits 41412, 46205, and 48540

By s/Philip C. Hulse
Philip C. Hulse, Agent
6255 Casa Loma Ave.
Las Vegas, Nevada 89115

Compared bc/bc ab/vw

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 of a portion of the waters of an underground source as heretofore granted under Permit 46205 is issued subject to the terms and conditions imposed in said Permit 46205 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 weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change 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 total combined duty of water under Permits 41411, 46205, 48540 and 58447 shall not exceed 1600.0 acre-feet annually.

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 diversion rate under Permits 41411, 46205, 48540 and 58447 shall not exceed 7.0 cubic feet per second.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 cubic feet per second, 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 July 6, 1995

Proof of completion of work shall be filed before August 6, 1995

Application of water to beneficial use shall be made on or before July 6, 1996

Proof of the application of water to beneficial use shall be filed on or before August 6, 1996

Map in support of proof of beneficial use shall be filed on or before August 6, 1996

Completion of work filed JUN 22 1995

Proof of beneficial use filed JUL 12 1996

Cultural map filed JUL 12 1996

Certificate No. 14493 Issued DEC 24 1996

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 19th day of April

A.D. 1994

[Signature]
State Engineer