

**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 JAN 21 1993

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed JAN 21 1993

The applicant Robert L. & Fern A. Harbecke  
HC 10 Box 10835 of Ely  
Street and No. or P.O. Box No. City or Town  
Nevada 89301  
State and Zip Code No. hereby make<sup>s</sup> application for permission to change the

Point of Diversion and Place of Use  
Point of diversion, manner of use, and/or place of use  
Permit No. 45648  
of water heretofore appropriated under \_\_\_\_\_  
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 Sources  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 4.5 cfs  
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 in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 14, T.13N.,  
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.  
R.67E., M.D.B.&M., whence the Southwest Corner of said Section 14 bears S. 60<sup>0</sup>  
13' 15" W., 2,193.20 feet distant.

6. The existing permitted point of diversion is located within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 16, T.13N.,  
If point of diversion is not changed, do not answer.  
R.67E., M.D.B.&M., whence the East  $\frac{1}{4}$  Corner of said Section 16 bears N. 88<sup>0</sup>  
18' 55" E., 1,700.74 feet distant.

7. Proposed place of use portions of the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , S $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 15; E $\frac{1}{2}$  SW $\frac{1}{4}$ , SE $\frac{1}{4}$  of  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
Section 16; E $\frac{1}{2}$  NW $\frac{1}{4}$ , N $\frac{1}{2}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 21; W $\frac{1}{2}$ , SE $\frac{1}{4}$  of  
Section 22; all in T.13N., R.67E., M.D.B.&M., 270 acres

8. Existing place of use the NW $\frac{1}{4}$  SW $\frac{1}{4}$ , portions of the N $\frac{1}{2}$  S $\frac{1}{2}$  SW $\frac{1}{4}$  of Section 15; N $\frac{1}{2}$  S $\frac{1}{2}$ ,  
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.  
portions of the N $\frac{1}{2}$  S $\frac{1}{2}$  S $\frac{1}{2}$  of Section 16, T.13N., R.67E., M.D.B.&M., 270 acres

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 and cased well, turbine pump and  
State manner in which water is to be diverted, i.e. diversion structure, sprinkler system ditches, pipes and flumes, or drilled well, etc.  
sprinkler system

12. Estimated cost of works \$25,000

13. Estimated time required to construct works three years

14. Estimated time required to complete the application of water to beneficial use..... five 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 will be used to supplement any and all water rights that pertain to this proposed place of use for a total annual use of 4 acre feet per acre.

By s/Richard W. Forman
Richard W. Forman, Agent
P.O. Box 150
Ely, Nevada 89301

Compared bc/bc ab/bk

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 45648 is issued subject to the terms and conditions imposed in said Permit 45648 and with the understanding that no other rights on the source will be affected 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.

The well drilled under Permit 45648 must be plugged in accordance with Chapter 534 of the Nevada Administrative Code within 30 days of the issuance of this permit.

The total combined duty of water under Permits 920, Certificate 866; 15812, Certificate 4808; 17163, Certificate 4810; 20817, Certificate 6777; 22545, Certificate 7571; 26228, Certificate 8363; 26229, Certificate 8364; 26546, Certificate 8365; 26952, Certificate 8366; 26953, Certificate 8367; 29162, Certificate 10107; 34727, Certificate 11889; 45648, 50772 and 58493 shall not exceed 3430.81 acre-feet annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.5 cubic feet per second, but not to exceed 1080.0 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 January 27, 1995

Proof of completion of work shall be filed before February 27, 1995

Application of water to beneficial use shall be made on or before January 27, 1996

Proof of the application of water to beneficial use shall be filed on or before February 27, 1996

Map in support of proof of beneficial use shall be filed on or before February 27, 1996

Completion of work filed

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed

office, this 3rd day of June

Cultural map filed

A.D. 19 94

Certificate No. Issued

69316 45

[Signature] State Engineer