

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 MAR 01 1993
Returned to applicant for correction MAR 17 1993
Corrected application filed Map filed MAR 23 1993

The applicant V. W. & Vivian Birdzell
1119 Idaho Street of Elko
Nevada 89801
hereby make application for permission to change the
Point of Diversion, Place of Use & Manner of Use of a Portion
of water heretofore appropriated under Permit no. 45440

- 1. The source of water is Underground
2. The amount of water to be changed 0.3 cfs
3. The water to be used for Irrigation
4. The water heretofore permitted for Irrigation & Domestic
5. The water is to be diverted at the following point SW 1/4 SE 1/4 of Section 9, T37N, R62E, MDB&M.,
6. The existing permitted point of diversion is located within NW 1/4 SE 1/4 of Section 9, T37N, R62E,
7. Proposed place of use Portion of the SW 1/4 SE 1/4 of Section 9, T37N, R62E, MDB&M.
8. Existing place of use Portions of the NW 1/4 SE 1/4, SW 1/4 SE 1/4, NE 1/4 SE 1/4 of Section 9, T37N,
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
12. Estimated cost of works \$10,000
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:

The waters of permit No. 45440 were permitted for Irrigation & Domestic Use.

That portion of said permit No. 45440 to be changed by this application are to be used for Irrigation purposes only, as Domestic water is supplied by the City of Wells, Nevada.

HIGH DESERT Engineering, Agent
By s/Robert E. Morley
Robert E. Morley
640 Idaho Street
Elko, Nevada 89801

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, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 45440 is issued subject to the terms and conditions imposed in said Permit 45440 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 area of irrigation is limited to 0.95 acres within the place of use of this permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.027 cubic feet per second, and not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources, but not to exceed 2.85 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 3, 1995

Proof of completion of work shall be filed before February 3, 1995

Application of water to beneficial use shall be made on or before January 3, 1996

Proof of the application of water to beneficial use shall be filed on or before February 3, 1996

Map in support of proof of beneficial use shall be filed on or before February 3, 1996

Completion of work filed MAR 06 1996

Proof of beneficial use filed FEB 26 1998

Cultural map filed FEB 26 1998

Certificate No. 15088 Issued DEC 21 1998

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 11th day of April

A.D. 19 94

[Signature]
State Engineer