

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 JUL 28 1993

Returned to applicant for correction.....

Corrected application filed..... Map filed NOV 10 1970 under 23574

The applicant Blain J. Smith and Nina Rae Smith

P.O. Box 185 of Orovada
Street and No. or P.O. Box No. City or Town

Nevada 89425 hereby make application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use of a Portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 20422 - Certificate 6761
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 an Underground Source
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.35327 CFS not to exceed 140.16 acre feet annually
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation and 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 within the NE 1/4 SE 1/4 of Section 21, T.43N., R.37E., M.D.B.&M., or at a point from which the E 1/4 corner of said Section 21
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.
bears N 16° 45' 20" East, 169.35 feet.

6. The existing permitted point of diversion is located within the NE 1/4 SE 1/4 of Section 8, T.41N., R.37E., M.D.B.&M., or at a point from which the E 1/4 corner of said Section 8
If point of diversion is not changed, do not answer.
bears N 57° 31' East, 87.1 feet.

7. Proposed place of use 35.04 acres in the NW 1/4 SE 1/4 of Section 21, T.43N., R.37E., M.D.B.&M., Humboldt County, Nevada
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 35.04 acres in the SE 1/4 SW 1/4 of Section 8, T.41N., R.37E., M.D.B.&M., Humboldt County, Nevada (please note that there is a typographical error on Certificate 6761 - manner of use of irrigation permit, describe acreage to be removed from irrigation. 25.04 acres should be 35.04 acres in the SE 1/4 SW 1/4 of Section 8)
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 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 well, pump and motor, and irrigation 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 \$12,000

13. Estimated time required to construct works completed (see Well Log filed under Permit 23574)

14. Estimated time required to complete the application of water to beneficial use 1 year

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

Please use the map filed under Permit 14696 for the description of the existing place of use and point of diversion and the map filed under Permit 23574 for the description of the proposed place of use and point of diversion.

By s/B. J. Vasey
B.J. Vasey, PE, RLS. Vasey Engineering
P.O. Box 247
Minden, NV 89423
Compared bc/bc cl/cms
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 20422 Certificate 6761 is issued subject to the terms and conditions imposed in said Permit 20422 Certificate 6761 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 measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. 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 total combined duty of water under Permits 59070 and 59071 shall not exceed 140.16 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 amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.353 cubic feet per second, but not to exceed 140.16 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 June 17, 1998
Proof of completion of work shall be filed before July 17, 1998
Application of water to beneficial use shall be made on or before June 17, 2000
Proof of the application of water to beneficial use shall be filed on or before July 17, 2000
Map in support of proof of beneficial use shall be filed on or before July 17, 2000

Completion of work filed DEC 2 2 1997
Proof of beneficial use filed SEP 2 4 1999
Cultural map filed SEP 2 4 1999
Certificate No. 15352 Issued DEC 1 7 1999

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 17th day of June, A.D. 19 97
R. Michael Turnipseed P.E.
State Engineer