

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 05 2001

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

Corrected application filed \_\_\_\_\_

Map filed OCT 05 2001

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The applicant **Charles H. and Lois Anne Chester** hereby makes application for permission to change the **Point of Diversion** of water heretofore appropriated under **Permit No. 47936**

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1. The source of water is **Adobe Creek**
2. The amount of water to be changed **0.5391 cfs**
3. The water to be used for **Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **SE¼ NE¼, Section 12, T.34N., R.54E., M.D.B.&M. at a point from which the East ¼ corner of said Section 12 bears S 32° 49' 21" E, 1011.16 feet.**
6. The existing permitted point of diversion is located within **SW¼ NW¼, Section 7, T.34N., R.55E., M.D.B.&M. at a point from which the West ¼ corner of said Section 7 bears S 00° 51' 00" W, 405.26 feet.**
7. Proposed place of use **Same as Existing Place of Use**
8. Existing place of use **Portions of the SW¼ NW¼, SE¼ NW¼, NE¼ SW¼ of Section 7, T.34N., R.55E., M.D.B.&M. Number of acres to be irrigated are 40.428.**
9. Use will be from **January 1 to September 31** of each year.
10. Use was permitted from **January 1 to September 31** of each year.
11. Description of proposed works **Water diverted from Adobe Creek by small diversion dam through ditches and pipeline to storage reservoir**
12. Estimated cost of works **\$50,000**
13. Estimated time required to construct works **Diversion dam, ditches, pipelines and reservoir are complete**
14. Estimated time required to complete the application of water to beneficial use **one year**
15. Remarks: **At the time of the survey for the Proof of Beneficial Use, we determined that the actual point of diversion was different than the point of diversion as shown on Permit No. 47936. This application to change is being filed to correct the point of diversion to it's existing location.**

By **Robert E. Morley, High Desert Engineering**  
s/**Robert E. Morley**  
**640 Idaho Street**  
**Elko, Nevada 89801**

Compared my/CMF dl/cmf

Protested \_\_\_\_\_

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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 the waters of Adobe Creek as heretofore granted under Permit 47936 is issued subject to the terms and conditions imposed in said Permit 47936 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. 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 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 also issued subject to the terms and conditions of the Humboldt River Decree.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5391 cubic feet per second, but limited to 141.498 acre-feet per season, and not to exceed a seasonal duty of 3.5 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:

March 19, 2003

Proof of completion of work shall be filed before:

April 19, 2003

Water must be placed to beneficial use on or before:

March 19, 2004

Proof of the application of water to beneficial use shall be filed on or before:

April 19, 2004

Map in support of proof of beneficial use shall be filed on or before:

April 19, 2004

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 19th day of March, A.D. 2002

*Hugh Ricci, P.E.*  
\_\_\_\_\_  
State Engineer

Completion of work filed APR 21 2003  
Proof of beneficial use filed \_\_\_\_\_  
Cultural map filed \_\_\_\_\_  
Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

