

TEMPORARY

No. 68214-T

**TEMPORARY
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 NOV 21 2001

Returned to applicant for correction _____

Corrected application filed _____

Map filed NOV 21 2001

The applicant **Elizabeth H. Miller and Fred L. Miller (Co-Trustees)** under the **Elizabeth H. Miller Trust Agreement** hereby make application for permission to change the point of diversion and manner of use of a portion of water heretofore appropriated under **Application 43158 Certificate 13021**

1. The source of water is **underground**
2. The amount of water to be changed **.0155 cfs**
3. The water to be used for **stockwater for 500 head of cattle**
4. The water heretofore permitted for **irrigation and domestic**
5. The water is to be diverted at the following point **within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T.41N., R.39E., MDB&M or at a point from which the NE corner bears N 41° 56' E 3680.0 feet**
6. The existing permitted point of diversion is located within **the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T.41N., R.39E., MDB&M or at a point from which the NE corner of said Section 23 bears N 22° 00' 36" E 3463.0 feet**
7. Proposed place of use **that portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T.41N., R.39E., MDB&M lying East of State Highway 290**
8. Existing place of use (See attachment.) **3.11 acres will be removed from irrigation in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 23, T.41N., R.39E., MDB&M**
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 **drilled well and water troughs**
12. Estimated cost of works **in excess of \$5,000**
13. Estimated time required to construct works **3 months**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **This temporary change application is being filed with the accompanying application to appropriate in order to take advantage of the federal government assistance for drought relief.**

**Desert Mountain Surveying as agent
By John H. Milton III, PLS, SWRS
By s/John H. Milton
146 West Second Street
Winnemucca, NV 89445**

Compared my/cmF ds/cmF

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 temporary permit to change the point of diversion and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 43158, Certificate 13021, is issued subject to the terms and conditions imposed in said Permit 43158, Certificate 13021, 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 for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This temporary 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 issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of Permits 27274, Certificate 9017; 27275, Certificate 9018; 43158, Certificate 13021; 43159, Certificate 13022, and that portion of Proof No. 0670, Little Humboldt Decree, within the place of use of the preceding permits shall not exceed 2286.68 acre-feet annually.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **January 7, 2003** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0155 cubic feet per second, or sufficient to water 500 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

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

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

TEMPORARY

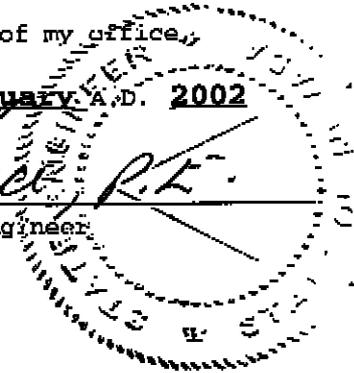
IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

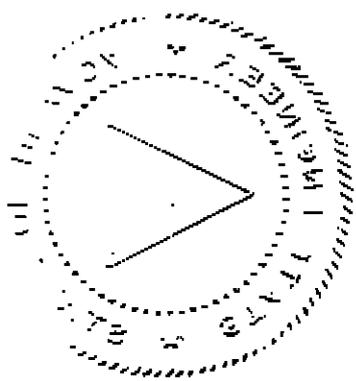
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 8th day of January, A.D. 2002

Hugh Ricci, P.E.
State Engineer





PERMIT 43158		PLACE OF USE PERMIT 43158			
		SUBD.		TWP	RGE
ACRES	1/4	1/4	SEC	(N)	(E)
33.20	SW	NE	23	41	39
40.10	SE	NE	23	41	39
34.50	NW	SE	23	41	39
41.00	NE	SE	23	41	39
41.40	SE	SE	23	41	39
32.40	SW	SE	23	41	39
40.50	SW	NW	24	41	39
29.70	SE	NW	24	41	39
42.50	NW	SW	24	41	39
35.20	NE	SW	24	41	39
38.20	SE	SW	24	41	39
41.60	SW	SW	24	41	39
10.00	NW	SE	24	41	39
39.00	SW	SE	24	41	39
41.00	NW	NW	25	41	39
40.00	NE	NW	25	41	39
18.00	NW	NE	26	41	39
40.10	NE	NE	26	41	39
TOTAL ACRES					
638.30					

