



TEMPORARY

THE STATE OF NEVADA
PERMIT TO CHANGE POINT OF DIVERSION,
MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Name of applicant: CAL WORTHINGTON TRUST
Source: MCAFEE CREEK
Basin: NORTH FORK AREA
Manner of Use: IRRIGATION
Period of Use: April 15th to August 15th
Priority Date: 01/01/1900

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 a portion of the waters of The North Fork and Tributaries (McAfee Creek) as heretofore appropriated under Proof DHR00561 as appears in the Humboldt River Decree No. 2804 entered October 20, 1931 and October 7, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree 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.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire one year from the date of approval at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The point of diversion and place of use is as described under items 5 & 7 respectively on the submitted application to support 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 2.2873 cubic feet per second, but not to exceed 558.0 acre-feet annually, and not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: N/A
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: N/A
Map in support of proof of beneficial use shall be filed on or before: N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24 day of May, A.D. 2007

Handwritten signature of Tracy Taylor, P.E.
State Engineer

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Serial No 75398T

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

THIS SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Office FEB 28 2007
Returned to applicant for correction
Corrected application filed Map filed JUN 27 1983 under 46491

The applicant Cal Worthington Trust

12565 Auto Mall Circle of Folsom
Street and No. Or P.O. Box No. City or Town

California 95630, hereby makes application for permission to change the
State and Zip Code No.

[X] Point of diversion [] Place of use [] Manner of use [X] of a portion

of water heretofore appropriated under Proof No. 00561 (Estate of Thos. Kearns - Edwards Decree)
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 McAfee Creek
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 2.2878 cfs (558.00 acre feet)
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation
Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.

4. The water heretofore used for Irrigation
If for stock state number and kind of animals.

5. The water is to be diverted at the following point SE1/4 NW1/4 of Section 17, T.42 N., R.54 E.,
Describe as being within a 40-acre subdivision of public survey and by course and

M.D.B. & M., at a point from which the East 1/4 corner of said Section 17 bears S 79° 48' 26" E,
distance to a section corner. If on unsurveyed land, it should be stated.

3691.41 feet. (Please use the map that was filed in support of Permit No. 46492 to illustrate the proposed
point of diversion)

6. The existing point of diversion is located within as Decreed under Proof No. 00561, Estate of Thos. Kearns,
If point of diversion is not changed, do not answer.

within the SE1/4 SW1/4 of Section 16, T.42 N., R.54 E., M.D.B. & M. (Please use the map that was filed
in support of Proof 00561, Estate of Thos. Kearns, to illustrate the existing point of diversion.)

Handwritten initials or signature

7. Proposed place of use as Decreed under Proof No. 00561, Estate of Thos. Kearns, being portions of Sections
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

15, 16, 21, 22, 23, 25, 26, 27, 28, and 36, T.42 N., R.54 E., M.D.B. & M. (186.00 Acres to be irrigated

within the Decreed place of use)(Please use the map filed in support of Proof No. 00561, Estate of Thos.

Kearns to illustrate the proposed place of use)

8. Existing place of use as Decreed under Proof No. 00561, Estate of Thos. Kearns, being portions of Sections
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner

15, 16, 21, 22, 23, 25, 26, 27, 28, and 36, T.42 N., R.54 E., M.D.B. & M. (A total of 1480.10 acres are
of use of irrigation permit, describe acreage to be removed from irrigation.

allowed to be irrigated under Proof No. 00561, Estate of Thos. Kearns)(Please use the map filed in support

of Proof No. 00561, Estate of Thos. Kearns to illustrate the existing place of use.)

9. Use will be from April 15 to August 15 of each year.
Month and Day Month and Day

10. Use permitted from April 15 to August 15 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans
and specifications of your diversion or storage works.) Natural channels, ditches, pipelines and

State manner in which water is to be diverted, i.e. diversion structure, ditches,

Sprinkler systems

pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works \$10,000

13. Estimated time required to construct works one year

If well completed, describe well.

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

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 is for a Temporary Permit. The applicant intends to install a pipeline from the proposed
point of diversion to a pivot sprinkler system which will irrigate the same lands as allowed for under Proof No.
00561 thus utilizing the waters more efficiently in what is anticipated to be a below average water year. He is filing
this temporary application in order to install and use the sprinklers this season while the permanent application to
change is being processed.

(775) 738-4053

Phone No.

By Robert E. Morley, High Desert Engineering, LLC

Print or type name clearly

Robert E. Morley

Signature, applicant or agent

640 Idaho Street

Street and No., or P.O. Box No.

Elko, Nevada 89801

City, State, Zip Code

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

RECEIVED
STATE ENGINEERS OFFICE
FEB 28 AM 11:12