



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: SAMUEL E. KING & JEANNIE KING
 Source: UNDERGROUND
 Basin: CLOVERS AREA
 Manner of Use: IRRIGATION
 Period of Use: January 1st to December 31st
 Priority Date: 06/01/1983

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 61062 is issued subject to the terms and conditions imposed in said Permit 61062 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 total combined duty of water from this well under Permits 78709, 78710 and 78711 shall not exceed 431.32 acre-feet annually for the irrigation of 107.83 acres within the described place of use.

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

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.552 cubic feet per second or 43.72 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

January 19, 2011

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

January 19, 2013

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

January 19, 2013

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of January, A.D. 2010

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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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 JUL 08 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 08 2009 under 78709

The applicant Samuel E. King & Jeannie King

1150 E. Allen Road 143-12 of Battle Mountain
Street Address or P.O. Box City or Town

Nevada 89320, hereby make(s) application for permission to change the
State and Zip Code

Point of diversion Place of use Manner of use of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree)

Permit No. 61062

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.552 c.f.s. 43.72 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 (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.)
Lot 3, (SW1/4 NW1/4) of Section 14, T.32 N., R.44 E., M.D.B. & M., at a point from which the Southeast corner of Section 10, T.32 N., R.44 E., M.D.B. & M., bears N 53° 39' 00" W, 1568.00 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer)
Lot 12, (SE1/4 SE1/4) of Section 10, T.32 N., R.44 E., M.D.B. & M., at a point from which the Southeast corner of said Section 10, bears S 13° 04' 00" E, 218.00 feet.

64-LA

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
Portions of the NW1/4 of Section 14, T.32 N., R.44 E., M.D.B.& M., 10.93 acres to be irrigated within the Proposed Place of Use.
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8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
Portions of NW1/4 of Section 14, T.32 N., R.44 E., M.D.B.& M. 10.93 acres to be removed from irrigation.
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9. Use will be from January 1st to December 31st of each year.
Month and Day Month and Day
10. Use permitted from January 1st to December 31st 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.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump, and motor, etc.)
a drilled & cased well equipped with a motor, pump, pipelines and sprinklers
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12. Estimated cost of works \$10,000.00
13. Estimated time required to construct works Well is complete under Permit 57852
If well completed, describe well.
14. Estimated time required to complete the application of water to beneficial use 5 years
15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary:)
(Failure to provide a detailed description may cause a delay in processing)
This waters under this application and applications to change Permits 13378 and Permit 57852 are to be co-mingled for the irrigation of 107.83 acres within the proposed place of use.
Please see attached for description of proposed project.
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16. Miscellaneous remarks:
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-
-
-

(775) 738-4053
Phone No.

remorley@frontiernet.net
E-mail

By Robert E. Morley
Print or type name clearly

Robert E. Morley
Signature, applicant or agent

High Desert Engineering, LLC
Company Name

640 Idaho Street
Street address or P.O. Box

Elko, Nevada 89801
City, State, Zip Code

**APPLICATION MUST BE SIGNED
 BY THE APPLICANT OR AGENT**

2009 JUL -8 AM 11:26

\$200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Question 15

78711

Applications to change the Point of Diversion and Place of Use (As Applicable)
Under Permits 13378, Certificate 5182, Permit 57852, and Permit 61062
Description of Proposed Project & Water Usage

There are three permits associated with the applicant's ownership. These permits are Permit 13378, Certificate 5182, Permit 57852, and Permit 61062. Permit 13378 is certificated for the irrigation of 10.0 acres, Permit 57852 is permitted for the irrigation of 86.9 acres and Permit 61062 is permitted for the irrigation of 30.93 acres for a total of 127.83 acres located within portions of the NW1/4 of Section 14, T.32 N., R.44 E., M.D.B. & M.

The place of use of permit 13378 is located in portions of the N1/2 NW1/4, and the place of use of Permits 57852 and 61062 is the same place of use and is located within portions of the NW1/4 and excludes the place of use of permit 13378.

The applicant's have determined that the lands currently being irrigated and the lands planned to be added to irrigation can all be irrigated from the well permitted under Permit 57852 which will require filing these change applications to the planned point of diversion. In addition, with the configuration of the current places of use under the existing permits, the existing and planned irrigated areas will not match the existing places of use necessitating filing these change applications.

They have also decided to transfer 20 acres of permit 61062 to lands in Section 11, T.32 N., R.44 E., M.D.B. & M. Of these 20 acres, 10 acres will be irrigated from the well under Permit 61062 and the place of use of these 10 acres will be within the W1/2 SW1/4 of Section 11. The remaining 10 acres will be irrigated within the E1/2 SW1/4 of Section 11 from the well located on the said E1/2 SW1/4 of Section 11. The property associated with these 20 acres is owned by the children of the applicants. Once the new permits are issued, reports of conveyance will be filed to update title to these portions of Permit 61062. In addition the land where the well under Permit 61062 is located will be deeded to the child irrigating the 10 acres from this well.

In summary the change applications and description of the project will be as follows:

- 1) Change the point of diversion and place of use of Permit 13378. The point of diversion will be the same as Permit 57852 and the place of use will be the same as changes filed under Permit 61062 and Permit 57852. The well under Permit 13378 has been plugged as shown in the files of the Division of Water Resources. (Total of 107.83 ac. co-mingled within new place of use.)
- 2) Change the place of use of 57852. The place of use will be the same as changes filed under Permit 13378 and Permit 61062. (Total of 107.83 ac. co-mingled within new place of use.)
- 3) Change the point of diversion and place of use of 10.93 acres under Permit 61062. The point of diversion will be the same as Permit 57852 and the place of use will be the same as changes filed under Permit 13378 and Permit 57852. (Total of 107.83 ac. co-mingled within new place of use.)
- 4) Change the point of diversion and place of use of 10 acres under Permit 61062 to the E1/2 SW1/4 of Section 11.
- 5) Change the place of use of 10 acres under Permit 61062 to the W1/2 SW1/4 of Section 11.