

SECOND AMENDED

Serial No. 49320

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 AUG 30 1985
Returned to applicant for correction SEP 18 1985
Corrected application filed DEC 02 1985 Map filed DEC 02 1985

The applicant Kenneth D. and Norma D. Lee
P.O. Box 123 of Panaca
Street and No. or P.O. Box No. City or Town
Nevada 89042 State and Zip Code No.

hereby make application for permission to change the
the point of diversion of a portion
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Permit No. 11973, Certificate No. 4462
(Identify existing right by Permit, Certificate, Proof of Claim No. If Decreed, give title of Decree and
Identify right in Decree.)

- The source of water is Underground
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 1.0 c.f.s.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for Irrigation and Domestic
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point within the SE¹/4 of Section 32, Township 1
Describe as being within a 40-acre subdivision of public survey and by course and
South, Range 68 East, Mount Diablo Base and Meridian; or at a point from which
distance to a section corner. If on unsurveyed land, it should be stated.
the Southeast Corner of said Section 32 bears S.12°50'04"E., at 650.54 feet.
- The existing permitted point of diversion is located within within the SW¹/4 of Section 33,
If point of diversion is not changed, do not answer.
Township 1 South, Range 68 East, Mount Diablo Base and Meridian; or at a point
from which the Southwest Corner of said Section 33 bears S.9°50'W, at 1,306 feet.
- Proposed place of use SE¹/4 of Section 32 and SW¹/4 of Section 33 all in Township 1
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
South, Range 68 East; and ALSO the N¹/4 and the SW¹/4 of
Section 5, Township 2 South, Range 68 East, all in Mount Diablo Base and
Meridian.
- Existing place of use same as above item no. 7 of this application; SE¹/4 of Section
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
32 and SW¹/4 of Section 33, all in Township 1 South, Range 68 East; and ALSO
number of use of irrigation permit, describe acreage to be removed from irrigation.
the N¹/4 and the SW¹/4 of Section 5, Township 2 South, Range 68 East; all in
Mount Diablo Base and Meridian.
- Use will be from April 1st to October 31st
Month and Day Month and Day of each year.
- Use was permitted from April 1st to October 31st
Month and Day Month and Day of each year.
- 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 and Cased well.
State manner in which water is to be diverted, i.e. diversion structure, ditches,
pipes and flumes, or drilled well, etc.
- Estimated cost of works \$20,000
- Estimated time required to construct works Existing - 12 inch cased well

14. Estimated time required to complete the application of water to beneficial use..... currently in beneficial use.

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

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By s/ Richard E. Fonger
State Water Right Surveyor (Agent)
P.O. Box 491
Ely, Nevada 89301

Compared js/sg dm/sg

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 of a portion of the waters of an underground source as heretofore granted under Permit 11973, Certificate No. 4462 is issued subject to the terms and conditions imposed in said Permit 11973, Certificate No. 4462 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 11973 Certificate 4462 and 49320 shall not exceed 428.0 acre-feet per season.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 4.0 acre-feet seasonally.

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Work must be prosecuted with reasonable diligence and be completed on or before May 22, 1988

Proof of completion of work shall be filed before June 22, 1988

Application of water to beneficial use shall be made on or before May 22, 1990

Proof of the application of water to beneficial use shall be filed on or before June 22, 1990

Map in support of proof of beneficial use shall be filed on or before June 22, 1990

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

207 (Rev. 6-81)

IN TESTIMONY WHEREOF, I, PETER C. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 22nd day of May

A.D. 1987
Peter C. Morros
State Engineer

COPY

No. 87230
FILED AND RECORDED AT REQUEST OF
Kenneth D. Lee
July 20, 1987
AT _____ MINUTES PAST 11 O'CLOCK
A M IN BOOK 76 OF OFFICIAL
RECORDS, PAGE 61 LINCOLN
COUNTY, NEVADA.
FRANK C. HULSE
COUNTY RECORDER
By Mara Coxie, Deputy