Serial No. 18529

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JAN 19 1960

Returned to applicant for correction

Corrected application filed

Map filed JAN 19 1960

The applicant Leland Berk

of Winnemucca, County of Humboldt,

State of Nevada, hereby make a application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground
Name of stream, lake or other source.

2. The amount of water applied for is 0.25 second-feet.
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet acre-feet.

3. The water to be used for irrigation and domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 8.38 acres

(b) Stockwater (state number and kinds of animals to be watered)

(c) Other use (describe fully under "No. 11. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: SW¼ NW¼ Sec. 6, T. 35 N., R. 38 E., M.D.B.&M. At a point which bears N. 72°39' E. 840.50 ft. from
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
the West one quarter (¼) corner of Sec. 6, T. 35 N., R. 38 E., M.D.B.&M.

6. Place of use Within the S½ - NW¼ Sec. 6, T. 35 N., R. 38 E., M.D.B.&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.
A parcel of land described as follows: Beginning at the west one quarter (¼) corner of Sec. 6, T. 35 N., R. 38 E., M.D.B.&M. Thence bearing East 570.00 feet to the true point of beginning. Thence same last said course 1012.99 feet to a point. Thence North 500.00 feet to a point., Thence West 729.63 feet to a point., Thence S. 29° 32' 30" W. 574.71 ft. to the true point of beg.

7. Use will begin about Jan. 1 (Month) and end about Dec. 31 (Month), of each year.

8. 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.) Well equipped with pressure pump and sprinkler system.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works $2000.00

10. Estimated time required to construct works 5 yrs.

11. Remarks

Compared HS/LB HS/KB Applicant LELAND BERK

By s/ Richard M. Black
Agent for applicant

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 is issued subject to all existing rights on the source and is limited to what the well will produce but not to exceed 0.25 c.f.s. It is understood that this right must allow for a reasonable lowering of the static water level at permittees well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept, and a method provided, either air line or opening, for measuring depth to water. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.25 cubic feet per second, or a yearly duty of 4.0 acre-feet per acre of land irrigated.

Actual construction work shall begin on or before April 6, 1961

Proof of commencement of work shall be filed before May 6, 1961

Work must be prosecuted with reasonable diligence and be completed on or before April 6, 1962

Proof of completion of work shall be filed before May 6, 1962

Application of water to beneficial use shall be made on or before April 6, 1963

Proof of the application of water to beneficial use shall be filed on or before May 6, 1963

Map in support of proof of beneficial use shall be filed on or before May 6, 1963

Commencement of work filed JUL 24 1961
Completion of work filed APR 6 1962
Proof of beneficial use filed APR 29 1963
Cultural map filed
Certificate No. 5542 Issued 6/10/63 for 0.19 c.f.s. irrigation + domestic
Recorded 6/14/63 Bk. B Page 157

WITNESS MY HAND AND SEAL this 6th day of October, 1960

EDMUND A. MUTH
State Engineer

By Edward A. DeRiecco
Assistant State Engineer

218 (Rev.)
Humboldt County

3529

ASSIGNED: On Nov. 4, 1960 by Henry L. Berk, et ux, to Marvin E. Niece and Berenice N. Niece. Deed filed June 15, 1961.

FIDAVIT OF IDENTITY: Dated June 15, 1961 - Leland Berk & Henry L. Berk is one and the same person.