AMENDED

Serial No. 20526

APPLICATION FOR PERMIT

ASSIGNED

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUN 19 1962

Returned to applicant for correction

Corrected application filed JUL 26 1962

Map filed JUN 19 1962

The applicant Charley H. Smith

of Montgomery Pass, via Benton, Calif., County of Mineral, State of Nevada, hereby makes 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 well, Smith Well (A.D.Drumm Well)
   Name of stream, lake or other source.

2. The amount of water applied for is one cubic foot per second second-feet
   One scond-foot equals 448.83 gals. per min.
   (a) If stored in reservoir give number of acre-feet two acre-feet

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

4. If use is for:
   (a) Irrigation (state number of acres to be irrigated) 80
   (b) Stockwater (state number and kinds of animals to be watered)
   (c) Other use (describe fully under "No. 11. Remarks") for domestic use at a ranch house
   (d) Power:
   (1) Horsepower developed
   (2) Point of return of water to stream Will not be returned to source

5. The water is to be diverted from its source at the following point: the SE¼ of the NW¼ of Section 27, T. 2 N., R. 33 E., M.D.B.&M.,. The well is at a point south 61° 47 minutes West, a distance of 16,400.73 feet, from the N.E. cor. of Section 24, T. 2 N., R. 33 E.,
   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.

6. Place of use the S½ of SE¼ of NW¼; the S½ of SW¼ of NE¼, the N½ of NW¼ of SE¼ and the N½ of NE¼ of SW¼, Section 22, T. 2 N., R. 33 E., M.D.B.&M., being 80 acres. The N.E. corner of said tract bears South 80 degrees, 32 minutes West from the N.E. corner of Section 24, T. 2 N., R. 33 E., 13,589.86 feet.
   Describe by legal subdivision, if on unsurveyed land it should be so stated.

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.) Water will be pumped from the well and over a ridge (total head is about 90 feet) from where it will flow by gravity to place of use. Water will be diverted through a 6 inch pipe line for a distance of 4,906 feet, more or less. A two acre storage pond will be constructed at a site approximately 600 feet S.E. of the well.
   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 $8,000 to $10,000 (Eight to Ten Thousand Dollars)

10. Estimated time required to construct works Three Years.

11. Remarks The place of use is an 80 acre tract situated within the region where the applicant holds grazing rights. It is the applicants intent to file a Desert Entry on this tract just as soon as the moratorium on the filing of such entry is lifted.

Applicant s/ Charley H. Smith

By s/ Bernard York
Agent

Compared hs/lb hs/lb

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 1.0 c.f.s. It is understood that this right must allow for a reasonable lowering of the static water level at permittee's 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 1.0 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 August 21, 1963

Proof of commencement of work shall be filed before September 21, 1963

Work must be prosecuted with reasonable diligence and be completed on or before August 21, 1964

Proof of completion of work shall be filed before September 21, 1964

Application of water to beneficial use shall be made on or before August 21, 1965

Proof of the application of water to beneficial use shall be filed on or before September 21, 1965

Map in support of proof of beneficial use shall be filed on or before September 21, 1965

Commencement of work filed Aug. 14, 1963
Completion of work filed Oct. 1, 1964
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded BK Page

WITNESS MY HAND AND SEAL this 21st day of February, 1963

Elmo J. DeRicco
State Engineer

218 (Rev.)

NOV 14 1966
County Recorder

CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER