Serial No. 21653

AMENDED

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office NOV 21 1963

Returned to applicant for correction DEC 31 1963

Corrected application filed FEB 24 1964

Map filed FEB 24 1964

The applicant LaBarry and LaBarry Company

of P. O. Box 293, Eureka, County of Eureka,

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 Monroe Canyon
   Name of stream, lake or other source.

2. The amount of water applied for is 5.4 second-feet
   One scond-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 Purposes
   Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

   (a) Irrigation (state number of acres to be irrigated) 320

   (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: In the NE¼ NE¼, Sec. 22, T. 22 N., R. 54 E., M.D.B.&M., or at a point from which the NE Cor. of said Sec. 22 bears N. 57° 28' 40" E., 1265.24 feet distant.
   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 W.½ E.½ and the E.½ W.½ of Sec. 22, T. 22 N., R. 54 E., M.D.B.&M.
   Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1st (Month) and end about December 31st (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.) Early runoff will be reservoired and used for irrigation.
   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 $500.00

10. Estimated time required to construct works 3 years

11. Remarks Raymond LaBarry purchased this 320 acres from Robert Stucci in 1957.

Applicant LaBarry and LaBarry Company

By s/Robert W. Millard

Compared awb/ns hs/ns

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. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of 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 5.4 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated.

Actual construction work shall begin on or before February 11, 1965

Proof of commencement of work shall be filed before March 11, 1965

Work must be prosecuted with reasonable diligence and be completed on or before February 11, 1966

Proof of completion of work shall be filed before March 11, 1966

Application of water to beneficial use shall be made on or before February 11, 1969

Proof of the application of water to beneficial use shall be filed on or before March 11, 1969

Map in support of proof of beneficial use shall be filed on or before March 11, 1969

Commencement of work filed February 11, 1965
Completion of work filed MAR 21 1966
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded APR 11 1969 Page
CANCELLED Eureka County Recorder
BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
Roland D. Westergard STATE ENGINEER

WITNESS MY HAND AND SEAL this 11th day of August, 1964

ELMO J. DeRICCO
State Engineer.

By [signature]
Assistant State Engineer