ASSIGNED

Serial No. 23882

AMENDED

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAY 19 1967

Returned to applicant for correction

Corrected application filed

Map filed MAY 19 1967

The applicant W. A. Rusher

of 1209 Edgewood Drive, Lodi, County of San Joaquin,

State of California, hereby make 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 1.0 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 Commercial and domestic
   Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

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

   (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 Lot 1 (NE¼ NE¼) Sec. 3, T. 43 N., R. 31 E., M.D.B.&M., from which the northeast corner of section 3
   Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
   bears N. 2° 42' E., 44.90 feet.
   it should be stated.

6. Place of use Lot 1, (NE¼ NE¼) Section 3, T. 43 N., R. 31 E., M.D.B.&M.
   Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January (Month) and end about December (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, pump and pressure 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 $5,000.00

10. Estimated time required to construct works 3 years

11. Remarks Water to be used for shop, bunkhouse and cookshack, well log 9375 on file in the State Engineer's Office.

Applicant W. A. Rusher

By S/ Walter G. Reid
Water Rights Surveyor

Compared dih/ib hs/jw

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. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also 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. The well shall be equipped with a 2-inch opening and an air line for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. 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

Actual construction work shall begin on or before April 16, 1968

Proof of commencement of work shall be filed before May 16, 1968

Work must be prosecuted with reasonable diligence and be completed on or before April 16, 1969

Proof of completion of work shall be filed before May 16, 1969

Application of water to beneficial use shall be made on or before April 16, 1971

Proof of the application of water to beneficial use shall be filed on or before May 16, 1971

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

Commencement of work filed APR 30 1968
Completion of work filed JUNE 12, 1969
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk. Page
County Recorder

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 16th day of October, A.D. 19 67

Roland D. Westergard
State Engineer

CANCELLED JUN 28 1971 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Roland D. Westergard Jr.
STATE ENGINEER