

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

Date of filing in State Engineer's Office FEB 8 1968
Returned to applicant for correction FEB 21 1968
Corrected application filed APR 15 1968
Map filed APR 15 1968

The applicant Mountain City Water and Sewer Users, Inc. of Mountain City, County of Elko, State of Nevada, 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.) November 24, 1967, Elko, Nevada.

1. The source of the proposed appropriation is Brown's Gulch Name of stream, lake or other source.

2. The amount of water applied for is 1.0 cfs second-foot 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 municipal 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: NE 1/4 SW 1/4 Sec. 24, T46N., R53E., MDB&M., (unsurveyed) at a point from which the SE corner of Sec. 36, T46N., R53E., (unsurveyed) bears S. 14°35'48" E., 12,270.43ft. 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 SE 1/4, E 1/2 SW 1/4 Sec. 36, T46N., R53E., MDB&M., (unsurveyed) and Lot 1, 2, 3, & 4, Section 1, T45N., R53E., MDB&M., Lots 1 & 8 Section 2, T45N., R53E., MDB&M. Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1st and end about December 31st, of each year. Month Month

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.) Construct diversion from Brown's Gulch, 1,100 feet transmission pipeline to 75,000 gallon storage tank within mains and laterals throughout town of Mountain City. 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 \$79,000.00

10. Estimated time required to construct works 3 years.

11. Remarks

Applicant Mountain City Water & Sewer Users, Inc.

By s/ Mark Chilton

Compared dc/jw dc/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 1.0 cfs, 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. A suitable measuring device must be installed and accurate measurements of the water placed to beneficial use must be included in the proof of such use when filed. 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 February 26, 1969

Proof of commencement of work shall be filed before March 26, 1969

Work must be prosecuted with reasonable diligence and be completed on or before February 26, 1970

Proof of completion of work shall be filed before March 26, 1970

Application of water to beneficial use shall be made on or before February 26, 1973

Proof of the application of water to beneficial use shall be filed on or before March 26, 1973

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

Commencement of work filed MAR 6, 1969
Completion of work filed MAR 6, 1970
Proof of beneficial use filed MAR 30 1973
Cultural map filed
Certificate No. 8097 Issued 6-11-73
Recorded 6-15-73 Bk. 179 Page 257
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 26th day of August

A.D. 19 68

[Signature of Roland D. Westergard]
State Engineer