

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

Date of filing in State Engineer's Office AUG 22 1968

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 22 1968

The applicant James Bert Benton
c/o Berger & Berger
of (Perryton), County of Ochiltree

State of Texas, 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 5.4 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
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: SW¹/₄ SE¹/₄ Section 31, T.26N.,

R. 43E., M.D.B.&M., or at a point from which the NW corner of
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

Section 6, T.25N., R.43E., M.D.B.&M., bears S. 41° 20' W. 1,468 feet
it should be stated.

6. Place of use E¹/₂ of Section 31, T.26N., R.43E., M.D.B.&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, 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.) Well, pump, pipelines, and
ditches

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 \$10,000.00
 10. Estimated time required to construct works 3 years
 11. Remarks This application is being filed supplemental to water
Permits #22256 and #18916.

Applicant.....

By s/ David Burger

Compared jw/js 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 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 any 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 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 5.4 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before December 10, 1969
 Proof of commencement of work shall be filed before January 10, 1970
 Work must be prosecuted with reasonable diligence and be completed on or before December 10, 1970
 Proof of completion of work shall be filed before January 10, 1971
 Application of water to beneficial use shall be made on or before December 10, 1973
 Proof of the application of water to beneficial use shall be filed on or before January 10, 1974
 Map in support of proof of beneficial use shall be filed on or before January 10, 1974

Commencement of work filed.....
 Completion of work filed.....
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....
 Recorded..... Bk..... Page.....
 County Clark

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 10th day of June,
 A.D. 1969
FEB 11 1971 BECAUSE OF FAILURE
 State Engineer

OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
Roland D. Westergard STATE ENGINEER