

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

Date of filing in State Engineer's Office JAN 12 1970

Returned to applicant for correction JAN 28 1970

Corrected application filed

Map filed

The applicant Cactus Pete's, Inc. of % Chilton Engineering 421 Court, Elko, County of

State of Nevada 89801, 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.) Incorporated-1956, Nevada

1. The source of the proposed appropriation is Underground Well No. 5 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 Commercial & 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: SE 1/4 SW 1/4, Section 1, T47N, R64E,

MDM at a point from which the SW corner of said Section 1 bears

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

S 63° 11' 30" W 1764.52 feet

it should be stated.

6. Place of use Portions of the SW 1/4, Section 1 and NW 1/4, Section 12,

Describe by legal subdivision, if on unsurveyed land it should be so stated.

T 47 N, R 64 E, MDM

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.) Drilled and cased well, install submersible

pump and connect to place of use by underground piping

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 \$2,000.00
10. Estimated time required to construct works completed
11. Remarks The waters from this well are to be co-mingled with the waters from
Well Nos. 3 and 4 to serve a motel and cafe.

Applicant Cactus Pete's, Inc.
Pro. 6/4/70 by Salmon River Canal Co., Ltd.
Pro. overruled 5-6-71, see By s/Mark Chilton
Ruling 1783 Agent
 Compared jls/dc jw/bk 421 Court
Elko, Nevada 89801

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 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 water from this well and wells under Permits 25429, and 25430 is to be commingled and the total duty from all 3 wells shall not exceed 5.48 m.g.a.

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 but not to exceed 5.48 m.g.a.

- Actual construction work shall begin on or before December 23, 1971
- Proof of commencement of work shall be filed before January 23, 1972
- Work must be prosecuted with reasonable diligence and be completed on or before December 23, 1972
- Proof of completion of work shall be filed before January 23, 1973
- Application of water to beneficial use shall be made on or before December 23, 1974
- Proof of the application of water to beneficial use shall be filed on or before January 23, 1975
- Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed Jan 11, 1972
 Completion of work filed Jan 13, 1972
 Proof of beneficial use filed FEB 14 1975
 Cultural map filed.....
 Certificate No. 8491 Issued 4-29-75
 Recorded 5-12-75 Bk 211 Page 58
EIKO 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 23rd day of June
 A.D. 19 71
Roland D. Westergard
 State Engineer