

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

Date of filing in State Engineer's Office. APR 26 1971

Returned to applicant for correction.

Corrected application filed.

Map filed. APR 26 1971

The applicant Everett D. Miller, Charles Nyberg and Norman L. Brown, a partnership of c/o General Delivery, County of Pahrump, State of Nevada 89041, 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.) Same as above - partnership Everett D. Miller, Charles Nyberg and Norman L. Brown

1. The source of the proposed appropriation is an underground source in Pahrump Valley Basin, Nye County, Nevada. Name of stream, lake or other source.

2. The amount of water applied for is 0.11 cfs second-foot One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet 3 acre feet stored (1-Acre 3ft. deep deep.)

3. The water to be used for Commercial concrete aggregate batch plant and domestic Purposes Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for: See Remarks No. 11

(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: at a point within the NW 1/4 SE 1/4 Section 29, T. 20 S., R. 54 E., M.D.B. & M., at a point from which the SE corner of said Section 29 bears South 44° 00' 00" East a distance of 1970.00 feet. 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 is a portion of the NW 1/4 SE 1/4 and the NE 1/4 SE 1/4 all in Section 29, T. 20 S., R. 54 E., M.D.B. & M. or 42 1/2 acres more or less. 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.) Well approximately 250 feet deep cased with a 12" diameter steel casing to the bottom, grouted at the top; an electric motor and pump, 1000 gallon storage tank, 3000 lineal feet of four-inch diameter water line and one acre storage resevoir. 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 Three years

11. Remarks The water developed under this application shall be used for producing and washing concrete aggregate, batching ready mixed concrete, dust control during excavation and domestic purposes, consistent with setting up and running a ready mix concrete batch plant. Estimated water useage to be approximately 200 gals. per cubic yard of concrete produced. Estimated average daily production at 100 cubic yards per day or approximately 20,000 to 24,000 gallons of water per operating day.

Applicant Everett D. Miller, Charles Nyberg & Norman L. Brown, a partnership  
 By s/Charles Nyberg  
c/o General Delivery  
Pahrump, Nevada 89041

Compared gs/jn gs/bt

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 amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.11 cubic feet per second, but not to exceed 8.76 m.g. annually from any and/or all sources.

Actual construction work shall begin on or before July 4, 1972

Proof of commencement of work shall be filed before August 4, 1972

Work must be prosecuted with reasonable diligence and be completed on or before July 4, 1973

Proof of completion of work shall be filed before August 4, 1973

Application of water to beneficial use shall be made on or before July 4, 1976

Proof of the application of water to beneficial use shall be filed on or before August 4, 1976

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

Commencement of work filed SEP 1 1972

Completion of work filed AUG 17 1973

Proof of beneficial use filed DEC 13 1976

Cultural map filed \_\_\_\_\_

Certificate No. 9010 Issued 4-1-77

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 4th day of January,  
 A.D. 1972

Roland D. Westergard  
 State Engineer