

ASSIGNED

Serial No. 26756

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

Date of filing in State Engineer's Office JUN 2 1972

Returned to applicant for correction

Corrected application filed

Map filed JUN 19 1972

The applicant Howard E. Arcularius of Tonopah, County of

State of Nevada 89049, 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 Pine Creek Name of stream, lake or other source.

2. The amount of water applied for is 5.4 c.f.s. 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 Domestic & 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: SW 1/4 NW 1/4 Sec 18 T11N R46E

M.D.B. & M. or at point from which the West 1/4 Cor of said Sec 18

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 South, 385.72 ft.

it should be stated.

6. Place of use E 1/2 NE 1/4 Sec 9, E 1/2 SW 1/4 Sec 3, W 1/2 SE 1/4 Sec 3 N 1/2 NW 1/4 Sec 10

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

T11N R46E M.D.B. & M.

7. Use will begin about Jan 1st and end about Dec 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.) 3 mi of ditch

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 \$5000

10. Estimated time required to construct works 5 yrs.

11. Remarks
D. L. E. - .061458

Applicant Howard E. Arcularius

By s/ J. V. Caselli Agent
P.O. Box 103
Tonopah, Nevada 89049

Compared cmc/ga ga/lk

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. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. 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 August 6, 1973
- Proof of commencement of work shall be filed before September 6, 1973
- Work must be prosecuted with reasonable diligence and be completed on or before August 6, 1974
- Proof of completion of work shall be filed before September 6, 1974
- Application of water to beneficial use shall be made on or before August 6, 1977
- Proof of the application of water to beneficial use shall be filed on or before September 6, 1977
- Map in support of proof of beneficial use shall be filed on or before September 6, 1977

Commencement of work filed SEP 18 1973
 Completion of work filed SEP 18 1973
 Proof of beneficial use filed SEP 16 1980
 Cultural map filed SEP 16 1980
 Certificate No. 10862 Issued JAN 18 1984
 Recorded Bk. 37 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 6th day of February

A.D. 19 73
Roland D. Westergard
State Engineer