

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

Date of filing in State Engineer's Office NOV 26 1973
Returned to applicant for correction DEC 14 1973
Corrected application filed DEC 19 1973
Map filed OCT 30 1967 under 24133

The applicant David A. Witts Dallas of 1000 Empire Life Building, County of Texas 75201 hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is underground source Name of stream, lake or other source.

2. The amount of water applied for is 5.4 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 irrigation and domestic 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. 12. 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: NW 1/4 NE 1/4 Section 31, T. 9N., R. 66E., M.D.B.&M., or at a point from which the SE corner of said Section 31 bears S. 19° 22' 51" E., (5595.10 feet distant) it should be stated.

6. Place of use to include 320 acres in the W 1/2 SE 1/4, E 1/2 SW 1/4 Sec. 20 and W 1/2 NE 1/4, E 1/2 NW 1/4 Sec. 31 all in T. 9N., R. 66E., M.D.B.&M.

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.) It is proposed to drill, develop, case and equip an irrigation well for use as described above. 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 \$18,000.00
10. Estimated time required to construct works 3 years
11. Estimated time required to complete the application to beneficial use 4 years
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Map for this application is filed under "Application to Change Point of Diversion, Place & Manner of Use" Serial No. 24193.

Applicant..... David A. Witts

By..... s/Donald E. Lewis
L & M ENGINEERING
614 High Street
Ely, Nevada 89301

Compared..... cm: jw lk/ 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 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 November 1, 1974
- Proof of commencement of work shall be filed before December 1, 1974
- Work must be prosecuted with reasonable diligence and be completed on or before November 1, 1975
- Proof of completion of work shall be filed before December 1, 1975
- Application of water to beneficial use shall be made on or before November 1, 1978
- Proof of the application of water to beneficial use shall be filed on or before December 1, 1978
- Map in support of proof of beneficial use shall be filed on or before December 1, 1978

Commencement of work filed.....
Completion of work filed.....
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No. Issued.....

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 1st day of May

A.D. 1974

Recorded JAN 6 1976 Page 218 (Rev.)
OF APPLICANT TO COMPLY WITH THE BECAUSE OF FAILURE
COUNTY RECORDER PERMIT

Roland D. Westergard
STATE ENGINEER

Donald E. Lewis
State Engineer