

ASSIGNED

Serial No. 28682

AMENDED APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

SEP 12 1974

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed NOV 20 1974

Map filed NOV 20 1974

The applicant Willis and Lois Packer

Cross E. Ranch, County of Elko, of Tuscarora

Nevada, 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 (Clipper Gulch)

2. The amount of water applied for is 2.0 second-feet

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Stockwater and Domestic

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) 5000 cattle

(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 SE 1/4 of Section 33,

T. 40N., R. 51 E., M.D.B.&M. or at a point from which the SE corner of Section 34, T. 40N., R. 51E., M.D.B.&M. bears S. 71°24' E., 7901.2 feet.

6. Place of use Portions of Sections 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,

17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, and 36; all in T. 39N., R. 51 E., M.D.B.&M.

7. Use will begin about Jan. 1 and end about Dec. 31, of each year.

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.) the water is diverted from a tunnel and conveyed to the place of use via pipelines to stockwatering troughs located through out the place of use.

- 9. Estimated cost of works \$10,000
- 10. Estimated time required to construct works 5 years
- 11. Estimated time required to complete the application to beneficial use.....
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This is the same source of water as described in Permit No. 18261

Applicant Willis and Lois Packer

By S/ Charles C. Armuth, Jr.
 Charles C. Armuth, Jr.---Agent
 248 River Street
 Elko, Nevada 89801

Compared cv/bs 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 period of use and the average number of livestock served from the waters of this source. It is further 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. 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 but does not take responsibility for the use of the Federal range.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.56 cubic feet per second, or sufficient water to water 5,000 head of cattle.

Actual construction work shall begin on or before September 17, 1975
 Proof of commencement of work shall be filed before October 17, 1975
 Work must be prosecuted with reasonable diligence and be completed on or before September 17, 1976
 Proof of completion of work shall be filed before October 17, 1976
 Application of water to beneficial use shall be made on or before September 17, 1979
 Proof of the application of water to beneficial use shall be filed on or before October 17, 1979
 Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed..... IN TESTIMONY WHEREOF, ROLAND D. WESTERGARD
 Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of
 Proof of beneficial use filed..... my office, this 17th day of March

Certificate No..... Issued..... A.D. 1975
 Recorded..... Bk..... Page.....
 County Recorder CANCELLED JAN 12 1982 BECAUSE OF FAILURE TO COMPLY WITH THE PROVISIONS OF PERMIT

Roland D. Westergard
Peter L. Morris