

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

Date of filing in State Engineer's Office SEP 17 1975

Returned to applicant for correction

Corrected application filed

Map filed May 3, 1963 under 20925

The applicant Stephen E. Wall as to 40%, Leone B. Wall as to 40% and C.M. and Bernice B. Smith, husband and wife, as to 20% P. O. Box 2507, of Bakersfield, California 93303, 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.) N/A

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

2. The amount of water applied for is three and one-half (3 1/2) second-feet One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet N/A 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) 160

(b) Stockwater (state number and kinds of animals to be watered) N/A

(c) Other use (describe fully under "No. 12. Remarks") N/A

(d) Power:

(1) Horsepower developed N/A

(2) Point of return of water to stream N/A

5. The water is to be diverted from its source at the following point: within NE 1/4 NE 1/4, S.9, T.17S., R.49E., M.D.B. & M., Nye County, Nevada, or at a point from which the NE corner of said S. 9 bears North 88 1/2 degrees 2' East a distance of 1,100 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 NE 1/4 of S. 9, T.17S., R.59E., M.D.B. & M., Nye County, Nevada Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about 1-1 and end about 12-31, of each year. Day and Month Day and 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.) will pump into reservoir and then into pipeline, or directly into pipeline, for distribution by row or sprinkler irrigation within place of use. 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..... Already constructed.
10. Estimated time required to construct works..... Already constructed.
11. Estimated time required to complete the application to beneficial use..... one year.
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 a "start-over" of the present permit 20925 owned the same, within the same point of diversion and the same place of use excepting that this one does not cover the NW $\frac{1}{4}$ of S. 9 but only covers the NE $\frac{1}{4}$ of said Section.

Applicant STEPHEN E. WALL, As to 40%
LEONE B. WALL, As to 40%
C. M. SMITH and BERNICE B. SMITH, Husband and Wife, As By s/ Stephen E. Wall
to 20% Stephen E. Wall
 Compared bs/ga P. O. Box 2507
Bakersfield, California 93303

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.

This permit is issued subject to the final determination of litigation pending in the United States District Court for the District of Nevada styled United States of America vs. Francis Leo Cappaert, et al., Civil - LV 1687.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.7 cubic feet per second but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

- Actual construction work shall begin on or before September 4, 1976
- Proof of commencement of work shall be filed before October 4, 1976
- Work must be prosecuted with reasonable diligence and be completed on or before September 4, 1977
- Proof of completion of work shall be filed before October 4, 1977
- Application of water to beneficial use shall be made on or before September 4, 1979
- Proof of the application of water to beneficial use shall be filed on or before October 4, 1979
- Map in support of proof of beneficial use shall be filed on or before October 4, 1979

Commencement of work filed NOV 29 1976
 Completion of work filed NOV 4 1977
 Proof of beneficial use filed OCT 1 1985
 Cultural map filed OCT 1 1985
 Certificate No. 11302 Issued FEB 13 1986
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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 March,
 A.D. 19 76
Roland D. Westergard
 State Engineer