

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

Date of filing in State Engineer's Office JAN 29 1976

Returned to applicant for correction.....

Corrected application filed.....

Map filed JAN 29 1976

The applicant Charles B. Thornton % Boyack Surveying, Inc.
582½ West Cedar St., of Elko,
Street and No. or P.O. Box No. City or Town
Nevada 89801, hereby make application for permission to appropriate the public
State and Zip Code No.

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 Mack Creek Well No. 5
Name of stream, lake or other source.

2. The amount of water applied for is 6 second-feet
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)..... 3040 ac.

(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: SW¼ NW¼ Section 2, T.33N.,

R.49E., M.D.M. at a point from which the W¼ corner of said Section 2
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 S. 45° 00' 00" W. 28.28 feet.
it should be stated.

6. Place of use. S½ Section 2; SW¼ Section 1, all of Section 11, W¼ of
Describe by legal subdivision, if on unsurveyed land it should be so stated.

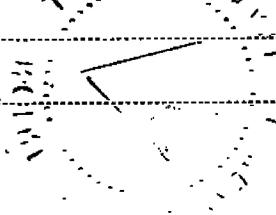
Section 12, W¼ of Section 13; all of Section 14; all of Section 23;

T.33N., R.49E., M.D.M.

7. Use will begin about January 1 and end about December 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.) Well with sprinkler system

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
- 10. Estimated time required to construct works..... 1 yr.
- 11. Estimated time required to complete the application to beneficial use..... 3 yr.
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Note: Water to be co-mingled with Mack Creek Wells No. 1, 2, 3, 4, and 6.

Applicant Charles B. Thornton

By s/Alan S. Boyack
 Boyack Surveying, Inc.-Alan S. Boyack
 582 1/2 West Cedar St.
 Elko, Nevada 89801

Compared bs/ns lk/ga

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 6.0 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..... January 23, 1977
- Proof of commencement of work shall be filed before..... February 23, 1977
- Work must be prosecuted with reasonable diligence and be completed on or before..... January 23, 1978
- Proof of completion of work shall be filed before..... February 23, 1978
- Application of water to beneficial use shall be made on or before..... January 23, 1981
- Proof of the application of water to beneficial use shall be filed on or before..... February 23, 1981
- Map in support of proof of beneficial use shall be filed on or before..... February 23, 1981

Commencement of work filed..... FEB 28 1977
 Completion of work filed..... FEB 28 1977
 Proof of beneficial use filed..... JUN 4 1981
 Cultural map filed..... JUN 4 1981
 Certificate No. 10049 Issued..... JUN 25 1982
 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 23rd day of July

A.D. 1976.

Roland D. Westergard
 State Engineer