

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

Date of filing in State Engineer's Office MAY 10 1976

Returned to applicant for correction

Corrected application filed

Map filed MAY 10 1976 under 30239

The applicant Charles B. Thornton % Boyack Surveying, Inc.

582 1/2 West Cedar St., of Elko, Nevada 89801

Street and No. or P.O. Box No. City or Town State and Zip Code No. 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 Mack Creek Well No. 2 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) 3520

(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: SW 1/4 NW 1/4 Section 3, T 33 N, R 49 E,

MDM at a point from which the W 1/4 corner of said Section 3 bears S 45° 00' 00" W Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

28.28 feet it should be stated.

6. Place of use SW 1/4 Section 1, S 1/2 Section 2, E 1/2 Section 10, all of Section 11, W 1/2 Section 12, NW 1/2 Section 13, all of Section 14, E 1/2 of Section 15, NE 1/2 Section

22, W 1/2 and NE 1/2 Section 23, all in T 33 N, R 49 E, MDM.

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.....2 yrs.....
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Waters to be co-mingled with Mack Creek Wells 1, 3, 4, 5, 6, and 7

Applicant Charles B. Thornton

By s/ Alan S. Boyack
 Boyack Surveying, Inc.-Alan S. Boyack
 582½ West Cedar
 Elko, Nevada 89801

Compared ga/jw lk/nbs

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 April 12, 1977
- Proof of commencement of work shall be filed before May 12, 1977
- Work must be prosecuted with reasonable diligence and be completed on or before April 12, 1978
- Proof of completion of work shall be filed before May 12, 1978
- Application of water to beneficial use shall be made on or before April 12, 1981
- Proof of the application of water to beneficial use shall be filed on or before May 12, 1981
- Map in support of proof of beneficial use shall be filed on or before May 12, 1981

Commencement of work filed APR 28 1977
 Completion of work filed FEB 28 1978
 Proof of beneficial use filed JUN 4 1981
 Cultural map filed JUN 4 1981
 Certificate No. 100-16 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 12th day of October

A.D. 1976

[Signature]
 State Engineer