

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

JUL 22 1976

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed Nov. 8, 1961, under 20150

The applicant John W. Burke

P. O. Box 67, of Lathrop Wells

Nevada 89020, hereby make^s 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
Name of stream, lake or other source.

2. The amount of water applied for is 3.56 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
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).....

(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: NE 1/4 of the SE 1/4 Section 23,
Town 16S, Range 48E, M.D.B.&M. at a point from which the SE corner
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
of said Section 23 bears S42° 45' E at a distance of 1920 feet.
it should be stated.

6. Place of use SE 1/4 Section 23, Town 16S, Range 48E, M.D.B.&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about 1 January and end about 31 December, 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.) Drilled well, sprinklers.

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 \$20,000
- 10. Estimated time required to construct works Two years
- 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 application, (except for name of applicant) is identical to that application filed under serial number 20150, on 8 november 1961. See certified copy of deed for all rights to application serial number 20150 attached. Use map filed with application serial number 20150 as an accompanying map to this application.

Applicant s/ John W. Burke

By s/ John W. Burke
John W. Burke
P. O. Box 67
Lathrop Wells, Nevada 89020

Compared jw/bs lk/bs

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 decision by the Supreme Court of the United States dated June 7, 1976 in the matter of Francis Leo Cappaert et al., v. United States et al., Nos. 74-1107 and 74-1304.

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 June 3, 1977
- Proof of commencement of work shall be filed before July 3, 1977
- Work must be prosecuted with reasonable diligence and be completed on or before June 3, 1978
- Proof of completion of work shall be filed before July 3, 1978
- Application of water to beneficial use shall be made on or before June 3, 1980
- Proof of the application of water to beneficial use shall be filed on or before July 3, 1980
- Map in support of proof of beneficial use shall be filed on or before July 3, 1980

Commencement of work filed FEB 24 1977
 Completion of work filed FEB 24 1977
 Proof of beneficial use filed JUL 29 1977
 Cultural map filed JUL 29 1977
 Certificate No. 9788 Issued FEB 12 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 3rd day of December

A.D. 19 76
Roland D. Westergard
State Engineer