AMENDED

№ 30442

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

Date of filing in State Engineer's Office JUL 30 1976

Returned to applicant for correction SEP 8 1976

Corrected application filed SEP 23 1976

Map filed JUL 30 1976

The applicant David Rau

SR 15 - Box 453, of Lathrop Wells,
Street and No. or P.O. Box No. City or Town

Nev. 89020, 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
Name of stream, lake or other source.

2. The amount of water applied for is 0.034 CFS 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 Domestic and Irrigation
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 20 acres

(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: NE¼ NW¼ Sec. 12 T 17 S R 48 E M.D.B.&M or at a point from which the N.W. Cor. of said Sec. 12 bears N 56° 40' W - 1958 ft.
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 S½ SW¼ NE¼ NW¼, NW¼ SE¼ NW¼, N½ SW¼ SE¼ NW¼ Sec. 12 T.17S., R.48E., M.D.B.&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about Jan. 1st and end about Dec. 31st, 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, cased, motor and pump irrigation flood
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

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9. Estimated cost of works $5000

10. Estimated time required to construct works 5 yrs.

11. Estimated time required to complete the application to beneficial use 5 yrs.

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

Applicant David Rau

By S/ J. V. Caselli agent
P. O. Box 201
Goldfield, Nevada - 89013

Compared sk:jw 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 0.034 cubic feet per second but not to exceed 24.6 acre-feet annually.

Actual construction work shall begin on or before October 25, 1977

Proof of commencement of work shall be filed before November 25, 1977

Work must be prosecuted with reasonable diligence and be completed on or before October 25, 1978

Proof of completion of work shall be filed before November 25, 1978

Application of water to beneficial use shall be made on or before October 25, 1979

Proof of the application of water to beneficial use shall be filed on or before November 25, 1979

Map in support of proof of beneficial use shall be filed on or before November 25, 1979

Commencement of work filed
Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
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 25th day of April, A.D. 19 77

Roland D. Westergard
State Engineer

CANCELLED DEC 29 1977 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Roland D. Westergard BL STATE ENGINEER

218 (Rev.)