

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

Date of filing in State Engineer's Office APR 19 1977

Returned to applicant for correction JUN 6 1977

Corrected application filed AUG 4 1977

Map filed AUG 4 1977

James Jerome Moiso, an undivided interest and Richard J. O'Neil The applicant Alice O'Neill Avery as trustees under declaration of trust made by Richard J. O'Neill - April 18, 1968; an undivided 1/2 interest c/o Chilton Eng., 421 Court, of Elko, Nevada 89801, 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 Well No. 1 Name of stream, lake or other source.

2. The amount of water applied for is 7.0 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 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) 1000 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: SW 1/4 SE 1/4, Section 35, T.42N., R.54E., MDM, at a point from which the South 1/4 corner of Section 34, T.42N., R.54E., MDM bears S. 87° 09' W. 9141 feet.

6. Place of use S 1/2 S 1/2, Section 26; NW 1/4, E 1/2, Section 35; SW 1/4, Sec. 36; all in T.42N., R.54E., MDM; and NW 1/4, Section 1, NE 1/4 Sec. 2, T.41N., R.54E., MDM.

7. Use will begin about January 1 and end about December 31, of each year.

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 & cased well equipped with deep well turbine pumping through pipelines to a portable sprinkler system.

- 9. Estimated cost of works \$110,000.00
- 10. Estimated time required to construct works 3 years
- 11. Estimated time required to complete the application to beneficial use 5 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water is to be commingled with orthe rights of the applicant.

Applicant James Jerome Moiso, an undivided interest
 and Richard J. O'Neill, Alice O'Neill Avery as trustees
 under declaration of trust made by Richard J. O'Neill
 April 18, 1968; and undi- Bys/ William A. Nisbet
 vided 1/2 interest 421 Court
 Compared lp/ga bl/bc Elko, Nevada 89801

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 670 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigation from any and/or all sources.

- Actual construction work shall begin on or before March 5, 1979
- Proof of commencement of work shall be filed before April 5, 1979
- Work must be prosecuted with reasonable diligence and be completed on or before March 5, 1980
- Proof of completion of work shall be filed before April 5, 1980
- Application of water to beneficial use shall be made on or before March 5, 1983
- Proof of the application of water to beneficial use shall be filed on or before April 5, 1983
- Map in support of proof of beneficial use shall be filed on or before April 5, 1983

Commencement of work filed FEB 26 1979
 Completion of work filed
 Proof of beneficial use filed
 Cultural map filed
 Certificate No. Issued
 Recorded Bk. Page

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 5th day of SEPTEMBER

A.D. 19 78

County Recorder

DRAWN BY

75827

APR 21 1983

State Engineer

[Signature: Roland D. Westergard]
 State Engineer
[Signature: Peter L. Morris]
 STATE ENGINEER