

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

Date of filing in State Engineer's Office JUL 13 1977

Returned to applicant for correction

Corrected application filed

Map filed JUL 13 1977

The applicant Frehner Construction Company c/o Boyack Surveying, Inc.

582 1/2 West Cedar Street, 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 Well

Name of stream, lake or other source.

2. The amount of water applied for is 4 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 Highway Construction

Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

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

(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: SE 1/4 SW 1/4 Section 35 T 28 N,

R 52 E, MDM at a point from which the SW Corner of said Section

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

35 bears S 76° 40' 42" W 2328.64 feet.

it should be stated.

6. Place of use SE 1/4 SW 1/4 Section 35 T 28 N, R 52 E, MDM NE 1/4 NE 1/4 Section 13,

Describe by legal subdivision, if on unsurveyed land it should be so stated.

SE 1/4 SE 1/4 Section 12, T 27 N, R 51 E, MDM Lot 3 & 4, NE 1/4 SW 1/4, E 1/2 NW 1/4 NW 1/4 NE 1/4, Section 7; S 1/2 SE 1/4, NE 1/4 SE 1/4 SE 1/4 NE 1/4 Section 6, SW 1/4 NW 1/4, Lot 3&4 Section 5 T 27 N, R 52 E, MDM; SE 1/4 SW 1/4, W 1/2 SE 1/4, NE 1/4 SE 1/4, SW 1/4 NE 1/4, E 1/2 NE 1/4, Section 32; NW 1/4 NW 1/4 Sec. 33; W 1/2 SW 1/4, NE 1/4 SW 1/4, E 1/2 NW 1/4, W 1/2 NE 1/4 Sec. 28 SW 1/4 SE 1/4, E 1/2 E 1/2 Sec. 21, W 1/2 NE 1/4, E 1/2 E 1/2 Sec. 16, SW 1/4 SE 1/4, E 1/2 E 1/2 Sec. 9, Lots 1 & 2, SE 1/4 NE 1/4, E 1/2 SE 1/4 Sec. 4 T 28 N, R 52 E, MDM; W 1/2 E 1/2, SE 1/4 SE 1/4 Sec. 33, W 1/2 E 1/2 Sec. 28, W 1/2 E 1/2 Sec. 21, SW 1/4 SE 1/4 Sec. 16 T 29 N, R 52 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 will be used to furnish water

for Water Truck, then hauled to Hwy. Project and use for Dust

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

Control and Road Compaction

- 9. Estimated cost of works..... \$4,000.....
- 10. Estimated time required to construct works..... 1 yr.....
- 11. Estimated time required to complete the application to beneficial use..... 3 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 Frehner Construction Company

By..... s/ Alan S. Boyack
 Alan S. Boyack
 582½ West Cedar Street
 Elko, Nevada 89801

Compared..... mm/ga..... b1/bc.....

..... 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. 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 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 for highway construction purposes only and will expire on February 2, 1979 or upon completion of Highway Construction under NSHD contract #1601.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 1.0..... cubic feet per second, but not to exceed..... 73.0 million gallons annually.

- Actual construction work shall begin on or before..... May 17, 1978
- Proof of commencement of work shall be filed before..... June 17, 1978
- Work must be prosecuted with reasonable diligence and be completed on or before..... August 17, 1978
- Proof of completion of work shall be filed before..... September 17, 1978
- Application of water to beneficial use shall be made on or before..... August 17, 1979
- Proof of the application of water to beneficial use shall be filed on or before..... September 17, 1979
- Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... JUN 20 1978..... IN TESTIMONY WHEREOF, I..... ROLAND D. WESTERGARD.....
 Completion of work filed..... JUN 20 1978..... State Engineer of Nevada, have hereunto set my hand and the seal of
 Proof of beneficial use filed..... my office, this..... 17th..... day of..... FEBRUARY.....

Certificate No..... Issued..... A.D. 19..... 78.....
 Recorded..... Bk..... OCT 18 1978..... BECAUSE OF FAILURE.....
 CANCELLED..... County Recorder..... State Engineer