AMENDED

No 32979

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

Date of filing in State Engineer's Office AUG 1 1977

Returned to applicant for correction

Corrected application filed NOV 3 1977

Map filed NOV 3 1977

The applicant Cross Timbers Land Company, Inc.

P.O. Box 488 (Street and No. or P.O. Box No.), of Ely (City or Town),

Nevada 89301 (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.)

Incorporated on September 1, 1960 in the State of Texas.

1. The source of the proposed appropriation is Underground Well No. 6 (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 3 cfs second-feet (One second-foot equals 448.83 gals. per min.)

   (a) If stored in reservoir give number of acre-feet

3. The water to be used for Irrigation and Domestic (Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.)

4. If use is for:

   (a) Irrigation, state number of acres to be irrigated: 310 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 of Section 22, T.17 N., R.63 E., M.D.B.& M., whence the W¼ Corner of said Section 22, bears S. 53°41'00" W., 3,201.93 feet distant. (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 so stated.)

6. Place of use E½ SW¼; W½ SE¼; W½ NE¼; SE¼ NW¼; E½ NE½ NW¼; SE¼ SW¼ NW¼ of Section 22, T.17 N., R.63 E., M.D.B.& M. (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about 1st of January (Month and Day) and end about 31st of December (Month and Day), 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.) by sprinkler system (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

9. Estimated cost of works $20,000.00

10. Estimated time required to construct works 3 years
If well completed, describe works.

11. Estimated time required to complete the application of water 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.

By s/Richard W. Forman
Richard W. Forman, Agent
P.O. Box 150
Ely, Nevada 89301

Compared js/ kc br/ja

Protested

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 existing rights. 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. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under Permits 32979, 32980, 32981, 32982, 32983, 32984, 32985 and 32986 shall not exceed 930.0 acre-feet annually.

This permit is issued subject to the "Stipulation" filed in the Seventh Judicial District Court of the State of Nevada in and for the County of White Pine and filed in the office of the State Engineer, Case No. 11932, dated 28th day of May, 1983.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before July 8, 1985

Proof of completion of work shall be filed before August 8, 1985

Application of water to beneficial use shall be made on or before July 8, 1988

Proof of the application of water to beneficial use shall be filed on or before August 8, 1988

Map in support of proof of beneficial use shall be filed on or before August 8, 1988

Completion of work filed SEP 04 1986

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 8th day of JULY, A.D. 19 83

State Engineer

218 (Rev.)

CANCELLED AUG 19 1994 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER

AMENDED

№ 32979

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   (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) 310 acres

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   (d) Power:

      (1) Horsepower developed

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   (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.)

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

7. Use will begin about 1st of January (Day and Month) and end about 31st of December (Day and Month) 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.) by 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.)

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9. Estimated cost of works $20,000.00

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.

Applicant Cross Timbers Land Company, Inc.

By s/Richard W. Forman
Richard W. Forman, Agent
P.O. Box 150
Ely, Nevada 89301

Compared bc/ga bc/bl

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:

Application denied on the grounds that the proposed appropriation of additional ground water for irrigation as applied for would conflict with and tend to impair the value of existing rights and threaten to prove detrimental to the public interest and welfare.

DENIAL RESCINDED
SEE STIPULATION

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

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed
Completion of work filed SEP 04 1986
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk. Page
County Recorder

IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 30th day of SEPTEMBER, A.D. 19 80

William J. Newman
State Engineer

218 (Rev.)