SECOND AMENDED

№ 34293

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

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

Returned to applicant for correction FEB 23 1978

Corrected application filed MAR 17 1978

Map filed MAR 17 1978

The applicant James W. and Lucille M. Phillips

117 Harkins Rd. (Street and No. or P.O. Box No.), of Watsonville (City or Town),

California 95076 (State and Zip Code No.), hereby makes 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 4.0 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 & domestic (Irrigation, power, mining, manufacturing, domestic, or other use.)

4. If use is for:

   (a) Irrigation (state number of acres to be irrigated) 150

   (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: in the S½, NW¼SW¼, Sec. 10 T.21N., R.35E., MDB&M, at a point that bears S. 26° 03' 32" E., for a distance of 1234.38 feet from the West ¼ Cor of Sec. 10, T.21N., R.35E., MDB&M.
   (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 W½ of SW¼ of SE¼, Sec. 10, T.21N., R.35E., S½ of SW¼, Sec. 10, T.21N., R.35E., MDB&M, S½ of NW¼ of SW¼, Sec. 10, T.21N., R.35E., S½ of NE¼ of SW¼, Sec. 10, T.21N., R.35E., SW¼ of NW¼ of SE¼, Sec. 10, T.21N., R.35E., MDB&M.
   (Describe by legal subdivision, if on unsurveyed land it should be so stated.)

7. Use will begin about Jan. 1st (Day and Month) and end about Dec. 31st (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.) drilled well, pump, motor irrigation system
   (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 $15,000.00

10. Estimated time required to construct works 2 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 James W. & Lucille M. Phillips

By s/ Lowell D. Emery
P.O. Box 84
Fallon, Nevada 89406

Compared lp/ga tn/bc

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 its granting would tend to impair the value of existing rights and be otherwise detrimental to the public interest and welfare.~~

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
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 28th day of MARCH, A.D. 19 80

William J. Newman
State Engineer

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