AMENDED

№ 34973

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

Date of filing in State Engineer's Office FEB 9 1978

Returned to applicant for correction APR 7 1978

Corrected application filed APR 17 1978

Map filed APR 17 1978

The applicant Daniel and Diana Toplikar

577 34 Ave. (Street and No. or P.O. Box No.), of San Francisco (City or Town),

California 94121 (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 Anderson Creek (Name of stream, lake or other source.)

2. The amount of water applied for is 0.25 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 Stockwater (Irrigation, power, mining, manufacturing, domestic, or other use.)

4. If use is for:

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

   (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: NW¼NW¼, section 25, T12N, R44½E, MDB&M, or at a point from which the E¼ corner of sec. 36, (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.) T12N, R44E, bears S 73° 09' 33" W - 1696.13 feet

6. Place of use N½NW¼NE¼, SE¼NW¼NE¼, S½NE¼NE¼, SE¼NE¼, section 36, T12N, (Describe by legal subdivision, if on unsurveyed land it should be so stated.) R44E, SE¼SE¼ Sec. 23, NE¼NE¼ Sec. 26, NW¼NW¼ Sec. 25, T12N, R44½E, (Unsurveyed)

7. Use will begin about January 1 (Day and Month) and end about December 31 (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.) clean out spring water to be left in the existing ditch for stockwater (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 $500.00

10. Estimated time required to construct works 5 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 Daniel & Diana Toplikar

By s/ J.V. Caselli, agent
P.O. Box 201
Goldfield, Nev - 89013

Compared lp/ga gk/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 and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.00047 cubic feet per second, or sufficient water to water 150 head of cattle.

Actual construction work shall begin on or before October 16, 1981

Proof of commencement of work shall be filed before November 16, 1981

Work must be prosecuted with reasonable diligence and be completed on or before October 16, 1982

Proof of completion of work shall be filed before November 16, 1982

Application of water to beneficial use shall be made on or before October 16, 1983

Proof of the application of water to beneficial use shall be filed on or before November 16, 1983

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 16th day of APRIL, A.D. 1981

William J. Newman
State Engineer

CANCELLED DEC 30 1983 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Peter G. Morros
STATE ENGINEER BR

218 (Rev.)