AMENDED

ASSIGNED

№ 35010

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

Date of filing in State Engineer's Office FEB 16 1978

Returned to applicant for correction MAY 24 1978

Corrected application filed JUL 11 1978

Map filed Sept. 18, 1967 under 18978 (PBU)

The applicant Charles C. Cooper

c/o Chilton Engineers (Street and No. or P.O. Box No.), of 421 Court Street -- Elko (City or Town),

Nevada 89801 (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 5.4 (One second-foot equals 448.83 gals. per min.) second-feet

   (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) 320 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: SE¼NE¼ Section 4, T21N, R53E, MDM, at a point from which the E¼ corner of said section 4 (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.) bears S 45° 00' E 70.7 feet.

6. Place of use N½ of section 4, Township 21 North, Range 53 East, MDB&M. (Describe by legal subdivision, if on unsurveyed land it should be so stated.)

7. Use will begin about January 1st (Day and Month) and end about December 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 and cased well equipped with deep well turbine and portable sprinkler system. (State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, of other conduits.)

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9. Estimated cost of works $40,000.00

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.

Map filed to support Proof of Beneficial Use under Permit 18978 is made a part hereof and incorporated herein. This application is filed without prejudice of existing water rights of applicant and the water may be co-mingled with other existing rights.

Applicant Charles C. Cooper

By s/ Mark Chilton
Agent, 421 Court
Elko, Nevada 89801

Compared lp/ga bl/jv

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 substantial weir or other type of measuring device must be installed and measurements of water use kept. 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 place of use under this permit is limited to the West 22 acres of the SW1/4 NW1/4, Section 4, T.21N., R.53E. that has been declared forfeited under Permit 18978.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.37 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before May 21, 1979

Proof of commencement of work shall be filed before June 21, 1979

Work must be prosecuted with reasonable diligence and be completed on or before May 21, 1980

Proof of completion of work shall be filed before June 21, 1980

Application of water to beneficial use shall be made on or before May 21, 1981

Proof of the application of water to beneficial use shall be filed on or before June 21, 1981

Map in support of proof of beneficial use shall be filed on or before June 21, 1981

Commencement of work filed JUN 29 1979
Completion of work filed AUG 12 1980
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk. Page
County Recorder

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21st day of NOVEMBER, A.D. 19 78

State Engineer

218 (Rev.)

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