

AMENDED

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office. APR 26 1978

Returned to applicant for correction. JAN 2 1979

Corrected application filed. JAN 28 1979

Map filed. DEC 15 1978 under 35340

The applicant Imperial Farms Land & Cattle Co., Inc., Frank Delmue and a partnership consisting of Kenneth and Gordon Lytle Star Route 5, Box 50, of Ely, Nevada 89301

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.) Imperial Farms Land & Cattle Co.,

Inc., is a California Corporation qualified with the Nevada Secretary of State on April 9, 1976.

1. The source of the proposed appropriation is (underground) Benchland Well Name of stream, lake or other source.

2. The amount of water applied for is 0.25 cfs second-foot 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 stockwatering and domestic 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) 1150cattle (see breakdown under #12)

(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 SW 1/4 of the NW 1/4 of Section 23, T3N, R67E, MDM or at a point from which the SW corner of said Section 34, T4N, R67E, MDM bears N 17° 34' 56" W a distance of 19,235.38 feet.

6. Place of use in the SW 1/4 of the NW 1/4 of Section 23, T3N, R67E, MDM Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1st and end about December 31st, 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.) Existing well will be serviced and equipment maintained for removal and availability of water for stockwatering 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..... \$5,000.00.....
- 10. Estimated time required to construct works..... 3 years.....
- 11. Estimated time required to complete the application to beneficial use..... 3 years.....
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Cattle pro-ration in this application is as follows:  
 Imperial Farms Land & Cattle Co., 450  
 Frank Delmue 400  
 Kenneth and Gordon Lytle 300  
 Total Cattle 1150

Applicant Imperial Farms; Frank Delmue  
 and Kenneth and Gordon Lytle

By s/ Robert W. Millard

Compared lp/dh ja/ha

Robert W. Millard, Agent  
 #12 Inglewood Drive  
 Fernley, Nevada 89408

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. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. 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 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 0.036 cubic feet per second, or sufficient water to water 1,150 head of cattle.

Actual construction work shall begin on or before October 3, 1980

Proof of commencement of work shall be filed before November 3, 1980

Work must be prosecuted with reasonable diligence and be completed on or before October 3, 1981

Proof of completion of work shall be filed before November 3, 1981

Application of water to beneficial use shall be made on or before October 3, 1982

Proof of the application of water to beneficial use shall be filed on or before November 3, 1982

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

Commencement of work filed AUG 19 1980  
 Completion of work filed SEP 17 1980  
 Proof of beneficial use filed JAN 30 1981  
 Cultural map filed  
 Certificate No. 10203 Issued SEP 01 1982  
 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 3rd day of APRIL

A.D. 19 80

*William J. Newman*  
 State Engineer