

AMENDED

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

Date of filing in State Engineer's Office AUG 7 1978
Returned to applicant for correction SEP 27 1978
Corrected application filed NOV 27 1978
Map filed NOV 27 1978

The applicant Imperial Farms Land & Cattle Co., Inc.
Star Route 5, P.O. Box 50, of Ely, Nevada
89301, 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.) A California Corporation qualified with the Nevada Secretary of State on April 9, 1976.

1. The source of the proposed appropriation is Divide Reservoir
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-foot

3. The water to be used for Stockwatering
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) 707 cattle

(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 SE 1/4 SW 1/4 section 26,

T5N, R65E, MDB&M, or at a point from which the Southwest corner of

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, said section 26 bears S 74° 40' W, a distance of 2676.0 feet distant. it should be stated.

6. Place of use in section 26, T5N, R65E, MDB&M.
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 earthen reservoir is filled as and when valley runoff is available to fill it. Reservoir overflow is directed back into the natural channel.
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.....\$5000.00
- 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.

.....No waiver of vested rights is implied by filing of this  
 .....application.

Applicant... Imperial Farms Land and  
 Cattle Company, Inc.

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

Compared... lp/bl ..... ja/dr

..... 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..... 0.0221 ..... cubic feet per second, or sufficient water to water 707 head of cattle.

- Actual construction work shall begin on or before..... July 10, 1980
- Proof of commencement of work shall be filed before..... August 10, 1980
- Work must be prosecuted with reasonable diligence and be completed on or before..... July 10, 1981
- Proof of completion of work shall be filed before..... August 10, 1981
- Application of water to beneficial use shall be made on or before..... July 10, 1982
- Proof of the application of water to beneficial use shall be filed on or before..... August 10, 1982
- Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... AUG 15 1980  
 Completion of work filed..... SEP 17 1980  
 Proof of beneficial use filed..... JAN 20 1981  
 Cultural map filed.....  
 Certificate No. 10175 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 10th day of JANUARY

A.D. 19 80  
*William J. Newman*  
 State Engineer