

AMENDED APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office. AUG 18 1978

Returned to applicant for correction. OCT 4 1978

Corrected application filed. DEC 4 1978

Map filed. DEC 4 1978 under 35761

The applicant. Imperial Farms Land and Cattle Co., Inc.

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 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.) A California Corporation qualified with the Nevada Secretary of State on April 9, 1976.

1. The source of the proposed appropriation is. Upper Fairview Spring #3

Name of stream, lake or other source.

2. The amount of water applied for is. 0.25 cfs 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. 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). 450 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 NE 1/4 SE 1/4 section 22

T4N, R65E, MDB&M, or at a point from which the southeast corner of said section 22 bears S 4° 00' 09" E, a distance of 2485.06 feet.

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. Section 22, T4N, 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.) Spring to be cleaned out and maintained and livestock watering facilities constructed for watering of range cattle

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 \$1500.00
- 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.

..... Spring waters may be confined to a pipeline and piped south-westerly for use in southerly townships for stockwatering.

..... This spring was originally filed on under application 35085.

..... No waiver of vested right 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
Fornley, 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 0.0141 cubic feet per second, or sufficient water to water 450 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 30 1981
Cultural map filed
Certificate No. 10106 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