

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

Date of filing in State Engineer's Office JAN 25 1979

Returned to applicant for correction MAR 28 1979

Corrected application filed MAY 17 1979 APR 19 1979

Map filed under 36545

The applicant Bently Nevada Profit Sharing Plan and Trust Sixth and Railroad Streets, of Minden Nevada 89423, 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.) Donald E. Bently - Chairman; Earl R. Nino - Trustee; David H. Biggs - Trustee; Stephen W. Riggs - Trustee; Rina Silva - Trustee.

1. The source of the proposed appropriation is spring Name of stream, lake or other source.

2. The amount of water applied for is 0.5 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 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) 40 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: within SE 1/4 of SW 1/4 S. 36 at S 80° 55' 40" E. 1082.41 to S 1/4 corner S. 36, T.11N., R.21E., MDM. 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 SE 1/4 of SW 1/4 and SW 1/4 of SE 1/4 S. 36, T.11N., R.21E., also E 1/4 and NE 1/4 of NW 1/4 S. 1, T.10N., R.21E., also NE 1/4 of NE 1/4 and S 1/2 of NE 1/4 of S. 12, T.10N., R.21E., also SW 1/4 of S. 6, T.10N., R.22E., also W 1/2 of NW 1/4 and SE 1/4 of NW 1/4 and NE 1/4 of SW 1/4 of S. 7, T.10N., R.22E., MDM.

7. Use will begin about January 1 and end about December 31, 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.) 12" steel pipe, concrete headwall and steel reservoir. 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.....
- 10. Estimated time required to construct works.....2 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 Bently Nevada Profit  
Sharing Plan & Trust

By Martin Engineering.....

Compared lp / ss ja/sj s/ Richard Whitney  
PO Box 616  
Zephyr Cove, Nv 89448

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. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 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 August 25, 1980

Proof of commencement of work shall be filed before September 25, 1980

Work must be prosecuted with reasonable diligence and be completed on or before August 25, 1981

Proof of completion of work shall be filed before September 25, 1981

Application of water to beneficial use shall be made on or before August 25, 1982

Proof of the application of water to beneficial use shall be filed on or before September 25, 1982

Map in support of proof of beneficial use shall be filed on or before September 25, 1982

Commencement of work filed NOV 17 1980  
 Completion of work filed MAY 5 1982  
 Proof of beneficial use filed.....  
 Cultural map filed.....  
 Certificate No. .... Issued.....  
 Recorded..... Bk..... Page.....

IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN  
 State Engineer of Nevada, have hereunto set my hand and the seal of  
 my office, this 25th day of FEBRUARY

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

CANCELLED JUN 03 1986 BECAUSE OF FAILURE  
 OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

[Signature]  
 STATE ENGINEER