AMENDED

№ 38148

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

Date of filing in State Engineer's Office MAY 11 1979

Returned to applicant for correction OCT 19 1979

Corrected application filed DEC 10 1979

Map filed DEC 10 1979 under 38140

The applicant Dalton Livestock c/o Boyack Surveying, Inc.

515 South Fifth Street (Street and No. or P.O. Box No.), of Elko (City or Town),

Nevada 89801 (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.)

1. The source of the proposed appropriation is Spring No. 8 (Name of stream, lake or other source.)

2. The amount of water applied for is 0.05 cfs (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 Stockwater (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) 1000 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: SE1/4 SW1/4 Section 3, T 38 N, R 62 E, MDB & M., at a point from which the SW Corner of said Section 3 bears S 82° 20' 57" W 1863.82 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 SE1/4 SW1/4 Section 3; NE1/4 NW1/4 Section 10, T 38 N, R 62 E, MDB & M.
   (Describe by legal subdivision, if on unsurveyed land it should be so stated.)

7. Use will begin about January 1 (Day and Month) and end about December 31 (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.) Improve spring and trough.

   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 $1,000

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.

Applicant Dalton Livestock

By s/Alan S. Boyack
Alan S. Boyack
515 South Fifth Street
Elko, Nevada 89801

Compared bc/bl gk/bc

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.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.031 cubic feet per second, or sufficient water to water 1,000 head of cattle.

Actual construction work shall begin on or before November 12, 1981

Proof of commencement of work shall be filed before December 12, 1981

Work must be prosecuted with reasonable diligence and be completed on or before November 12, 1982

Proof of completion of work shall be filed before December 12, 1982

Application of water to beneficial use shall be made on or before November 12, 1983

Proof of the application of water to beneficial use shall be filed on or before December 12, 1983

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

Commencement of work filed
Completion of work filed JAN 5 1983
Proof of beneficial use filed DEC 6 1984
Cultural map filed
Certificate No. 11100 Issued FEB 7 1985
Recorded Bk. 38 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 12th day of MAY, A.D. 19 81

William J. Newman
State Engineer

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