

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

Date of filing in State Engineer's Office JUN 7 1979

Returned to applicant for correction OCT 25 1979

Corrected application filed

Map filed February 13, 1980 under 38286

The applicant Robert Scarth c/o C. F. Moores
6437 Sapphire Street, of Las Vegas,
Nevada, 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 underground.
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 mining and milling purposes.
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)
(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: SE1/4NW1/4, Section 3, Township 7 South, Range 40 East, Mount Diablo Meridian or at a point from which the Southwest corner of said Section 3 bears South 28° 39' 50" West 4,188.38 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 See EXHIBIT A attached hereto, consisting of four sheets.
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.) Work will consist of dug well, cribbed and cased with pump and piping to pump water to the location of the sluice boxes or dredge along Tule Canyon.
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 \$ 4,000.00 including pump and pipe.
- 10. Estimated time required to construct works 2 years.
- 11. Estimated time required to complete the application to beneficial use 3 to 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.

244 gallons per minute, 16 hours per day, throughout the year.

Applicant Robert Scarth

By s/Tracy I. Phelps
 Tracy I. Phelps, agent
 P.O. Box 545
 Beatty, Nevada 89003

Compared bl/ jk 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 amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If the 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 granted herein at any and all times.

The total combined duty of water under this permit and Permits 38286, 38287, 38288, 38289, 38290, 38291, 38292, inclusive, and 38294, 38295, 38296, 38297, 38298, and 38299, inclusive, shall not exceed 118.0 million gallons annually.

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 118.0 million gallons annually.

- Actual construction work shall begin on or before August 20, 1981
- Proof of commencement of work shall be filed before September 20, 1981
- Work must be prosecuted with reasonable diligence and be completed on or before August 20, 1982
- Proof of completion of work shall be filed before September 20, 1982
- Application of water to beneficial use shall be made on or before August 20, 1985
- Proof of the application of water to beneficial use shall be filed on or before September 20, 1985
- Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed
 Completion of work filed OCT 14 1987
 Proof of beneficial use filed OCT 10 1985
 Cultural map filed
 Certificate No. 14306 Issued MAY 01 1996
 Recorded Bk. 53 Page 14306
 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 20th day of FEBRUARY

A.D. 1981
 William J. Newman
 State Engineer

EXHIBIT A

The South half of the Northwest quarter of the Southeast quarter, the South half of the Northeast quarter of the Southeast quarter, and the East half of the Southeast quarter of the Southeast quarter, of Section 31, Township 6 South, Range 40 East, Mount Diablo Meridian.

The Southwest quarter of the Southwest quarter, the South half of the Northwest quarter of the Southwest quarter, the Southeast quarter of the Southwest quarter, the South half of the Northeast quarter of the Southwest quarter, The Southwest quarter of the Southeast quarter, and the South half of the Northwest quarter of the Southeast quarter of Section 32, Township 6 South, Range 40 East, Mount Diablo Meridian.

The South half of the Southeast quarter of the Southwest quarter, the Southwest quarter of the Southeast quarter, the Northwest quarter of the Southeast quarter, and the Northeast quarter of the Southeast quarter of Section 33, Township 6 South, Range 40 East, Mount Diablo Meridian.

The Southwest quarter of the Southwest quarter, the Northwest quarter of the Southwest quarter, the Southeast quarter of the Southwest quarter, the Northeast quarter of the Southwest quarter, the Southwest quarter of the Southeast quarter, and the Southeast quarter of the Southeast quarter of Section 34, Township 6 South, Range 40 East, Mount Diablo Meridian.

The West half of the Southwest quarter of the Southwest quarter of Section 1, Township 7 South, Range ~~66~~⁴⁰ East, Mount Diablo Meridian.

The Northwest quarter of the Northwest quarter, the Southwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the Southwest quarter of the Northeast quarter, the Northwest quarter of the Southwest quarter, the Northeast quarter of the Southwest quarter, the Southwest quarter of the Southwest quarter, the Southeast quarter of the Southwest quarter, the Northwest quarter of the Southeast quarter, the Southwest quarter of the Southeast quarter of the Southeast quarter, and the Southeast quarter of the Southeast quarter of Section 2, Township 7 South, Range 40 East, Mount Diablo Meridian.

The Northeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, the Southeast quarter of the Northeast quarter, the Southwest quarter of the Northeast quarter, the Northeast quarter of the Northwest quarter, the North half of the Northwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the East half of the Southwest quarter of the Northwest quarter, the East half of the Northeast quarter of the Southwest quarter, the East half of the Southeast quarter of the Southwest quarter, the Northwest quarter of the Southeast quarter, the Northeast quarter of the Southeast quarter, the Southwest quarter of the Southeast quarter, the Southeast quarter of the Southeast quarter all in Section 3, Township 7 South, Range 40 East, Mount Diablo Meridian.

EXHIBIT A (contd.)
Sheet 2

The North half of the Northeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, the Northeast quarter of the Northwest quarter, the Northwest quarter of the Northwest quarter, and the Northeast quarter of the Southeast quarter of Northwest quarter of Section 4, Township 7 South, Range 40 East, Mount Diablo Meridian.

The South half of the Northeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, the Northeast quarter of the Northwest quarter, the North half of the Northwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter of the Northwest quarter, the East half of the Southwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the Southwest quarter of the Northeast quarter, the West half of the Southeast quarter of the Northeast quarter, and the Northeast quarter of the Southeast quarter of the Northeast quarter of Section 5, Township 7 South, Range 40 East, Mount Diablo Meridian.

The Northeast quarter of the Northeast quarter, the East half of the Northwest quarter of the Northeast quarter, the Southeast quarter of the Northeast quarter, the East half of the Southwest quarter of the Northeast quarter, the East half of the Northeast quarter of the Southeast quarter, and the East half of the Southeast quarter of the Southeast quarter of Section 10, Township 7 South, Range 40 East, Mount Diablo Meridian.

The Northeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, the Southeast quarter of the Northeast quarter, the Southwest quarter of the Northeast quarter, the Northeast quarter of the Northwest quarter, the Northwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the Southwest quarter of the Northwest quarter, the Northeast quarter of the Southeast quarter, the Northwest quarter of the Southeast quarter, the Southeast quarter of the Southeast quarter, the Southwest quarter of the Southeast quarter, the Southeast quarter of the Southwest quarter, the Northeast quarter of the Southwest quarter, the Northwest quarter of the Southwest quarter, and the Southwest quarter of the Southwest quarter of Section 11, Township 7 South, Range 40 East, Mount Diablo Meridian.

The West half of the Northeast quarter of the Northwest quarter, the Northwest quarter of the Northwest quarter, the West half of the Southeast quarter of the Northwest quarter, the Southwest quarter of the Northwest quarter, and the Northwest quarter of the Southwest quarter of Section 14, Township 7 South, Range 40 East, Mount Diablo Meridian.

The East half of the Northeast quarter of the Northeast quarter, the Southeast quarter of the Northeast quarter, the Southwest quarter of Northeast quarter, the Northeast quarter of the Southeast quarter, the Northwest quarter of the Southeast quarter, the Southeast quarter of the Southeast quarter, the Southwest quarter of the Southeast quarter, the Southeast quarter of the Southwest quarter, and the Southwest quarter of the Southwest quarter of Section 15, Township 7 South, Range 40 East, Mount Diablo Meridian.

EXHIBIT A (contd.)
Sheet 3

The Northwest quarter of the Northeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, the Northwest quarter of the Southwest quarter of the Northeast quarter, the Northeast quarter of the Northwest quarter, the Northwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the Southwest quarter of the Northwest quarter, the Northeast quarter of the Southwest quarter, the Northwest quarter of the Southwest quarter, the Southeast quarter of the Southwest quarter, and the Southwest quarter of the Southwest quarter of Section 22, Township 7 South, Range 40 East, Mount Diablo Meridian.

The Northeast quarter of the Northwest quarter, the Northwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the Southwest quarter of the Northwest quarter, the Northwest quarter of the Southeast quarter, the Southwest quarter of the Southeast quarter, the Northeast quarter of the Southwest quarter, and the Southeast quarter of the Southwest quarter of Section 27, Township 7 South, Range 40 East, Mount Diablo Meridian.

The South half of the Northeast quarter of the Northeast quarter, the Southeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, the Southwest quarter of the Northeast quarter, the East half of the Northeast quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the Northeast quarter of the Southeast quarter, and the Southeast quarter of the Southeast quarter of Section 34, Township 7 South, Range 40 East, Mount Diablo Meridian.

The Northwest quarter of the Southwest quarter, and the Southwest quarter of the Southwest quarter of Section 35, Township 7 South, Range 40 East, Mount Diablo Meridian.

The Northeast quarter of the Northwest quarter, the Northwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the Southwest quarter of the Northwest quarter, the Northwest quarter of the Southwest quarter, and the Southwest quarter of the Southwest quarter, of Un Surveyed Public Land which if surveyed would probably lie in Section 2, Township 8 South, Range 40 East, Mount Diablo Meridian.

The Northeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, the Southeast quarter of the Northeast quarter, the Southwest quarter of the Northeast quarter, the Northwest quarter of the Southwest quarter, the Northeast quarter of the Southwest quarter, the Southeast quarter of the Southwest quarter, the Southwest quarter of the Southwest quarter, the Northeast quarter of the Southeast quarter, the Northwest quarter of the Southeast quarter, the Southwest quarter of the Southeast quarter, and the Southeast quarter of the Southeast quarter, of Un Surveyed Public Land which if surveyed would probably lie in Section 3, Township 8 South, Range 40 East, Mount Diablo Meridian.

EXHIBIT A (contd.)
Sheet 4

The Northeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, the Southwest quarter of the Northeast quarter, the Southeast quarter of the Northeast quarter, of Un Surveyed Public Land which if surveyed would probably lie in Section ~~9~~₁₀, Township 8 South, Range 40 East, Mount Diablo Meridian.

The Northeast quarter of the Northeast quarter, the Northwest quarter of the Northeast quarter, the Southwest quarter of the Northeast quarter, the Southeast quarter of the Northeast quarter, the Northeast quarter of the Northwest quarter, the Northwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter, the Southwest quarter of the Northwest quarter, of Un Surveyed Public Land which if surveyed would probably lie in Section ~~10~~, Township 8 South, Range 40 East, Mount Diablo Meridian. 11