AMENDED

ASSIGNED No. 38889

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

Date of filing in State Engineer's Office AUG 30 1979

Returned to applicant for correction NOV 19 1979

Corrected application filed DEC 13 1979

Map filed DEC 13 1979

The applicant Everett E Loving

PO Box 155 (Street and No. or P.O. Box No.), of Mina (City or Town),

Nevada 89422 (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.)

1. The source of the proposed appropriation is Rocky Mountain 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 Milling, Mining, per phone call 1/31/80 and Domestic 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: in the NW ¼ of the SE ¼ of unsurveyed sec 27 T 13N R 39E MDB & M from which point the NE corner of Sec 1 T 12N R 38E MDB & M bears S 68 00' 57" W a distance of 20,780.65'
   (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 the Goldust Group of Claims, a part of the NW ¼ of SE ¼, SW¼ of SE ¼, SE ¼ of SE ¼, SE¼ of SW¼, Sec 28; the NW ¼ of NW ¼, SW¼ of NW ¼, NE ¼ of NW ¼, NW ¼ of NE ¼, NE ¼ of NE ¼, SW¼ of NE ¼, NW ¼ of SE ¼, NE ¼ of SW ¼ SE ¼ of NW ¼ of sec 33; SE ¼ of NE ¼, NE ¼ of NE ¼ of Sec 32.; all in unsurveyed T 13N R 39E 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.) Cleanout spring, holding pond and pipeline.

   State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

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9. Estimated cost of works 5,000.00

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.

will serve 12 lode mining claims. Facilities will be included so water is available to wildlife and stock.

Applicant Everett E. LOving

'RO. 10/9/79 by U.S. of A., Forest Service

By s/George H Denson
PO Box 528
Yerington, Nv 89447

Compared lp/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 0.25 c.f.s., 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 a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. 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 0.25 cubic feet per second, but not to exceed 21.0 million gallons annually.

Actual construction work shall begin on or before April 28, 1981

Proof of commencement of work shall be filed before May 28, 1981

Work must be prosecuted with reasonable diligence and be completed on or before April 28, 1982

Proof of completion of work shall be filed before May 28, 1982

Application of water to beneficial use shall be made on or before April 28, 1984

Proof of the application of water to beneficial use shall be filed on or before May 28, 1984

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

Commencement of work filed JUN 10 1981
Completion of work filed JUN 18 1985
Proof of beneficial use filed JUN 27 1986
Cultural map filed
Certificate No. 11580 Issued OCT 8 1986
Recorded Bk. 39 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 28th day of OCTOBER, A.D. 1980

William J. Newman
State Engineer

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