

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

Date of filing in State Engineer's Office DEC 10 1979

Returned to applicant for correction

Corrected application filed

Map filed DEC 10 1979

The applicant Nuttall Trust c/o Boyack Surveying, Inc. 515 South Fifth Street, of Elko, Nevada 89801, 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 Name of stream, lake or other source.

2. The amount of water applied for is 0.05 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 Stockwater Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one 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) 500-1000 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: NE 1/4 NW 1/4 Section 20, T.39N., R.63E., MDB&M, at a point from which the NW corner of said section Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, 20 bears N 87°40'10" W 2145.95 feet. it should be stated.

6. Place of use NE 1/4 NW 1/4 Section 20, T.39N., R.63E., MDB&M Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year. Month and Day Month and Day

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..... \$5,000
- 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 Nuttall Trust

By s/ Alan S. Boyack

Compared lp/jk bt/bc

515 South Fifth Street
Elko, Nevada 89801

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.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto. Chapter 736, Sec. 5, Stats. of Nev. 1981.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0312 cubic feet per second, or sufficient water to water 1000 head of cattle.

Actual construction work shall begin on or before N/A

Proof of commencement of work shall be filed before N/A

Work must be prosecuted with reasonable diligence and be completed on or before November 18, 1982

Proof of completion of work shall be filed before December 18, 1982

Application of water to beneficial use shall be made on or before November 18, 1984

Proof of the application of water to beneficial use shall be filed on or before December 18, 1984

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

Commencement of work filed DEC 29 1982
Completion of work filed DEC 23 1988
Proof of beneficial use filed
Cultural map filed
Certificate No. 12161 Issued JUN 06 1989

IN TESTIMONY WHEREOF, I, PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 18th day of NOVEMBER

AD-19-81

State Engineer