

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

Date of filing in State Engineer's Office JUN 19 1980

Returned to applicant for correction

Corrected application filed

Map filed JUN 23 1980 under 41543

The applicant M. E. Clingman

155 East Second South, of Salt Lake City

Utah, 84111, 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

2. The amount of water applied for is 5 cfs second-feet

(a) If stored in reservoir give number of acre-feet acre-feet

3. The water to be used for Quasi Municipal and Domestic

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 1/4 SE 1/4 Section 35 T.36N., R.67E., M.D.B.&M., or at a point from which the SE corner of said Section 35 bears S. 36°50' E. 2750 feet.

6. Place of use Section 35, T.36N., R.67E., M.D.B.&M., and Section 1, T.35N., R.67E., M.D.B.&M.

7. Use will begin about January 1 and end about December 31, 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.) well, pump, storage tanks, pipe lines for distribution

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.....\$200,000.
- 10. Estimated time required to construct works..... 5 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.

Truck stop with attendant services; restaurant (200 capacity), employee living facilities (200), motel (600 units), swimming pool (2), 40-acre park, landscaping, other residences (1000).

Applicant M. E. Clingman
 Pro. 11/13/80 by Robt. J. Beaumont
 Pro. 11/17/80 by Elko County
 Pro. Overruled 5/14/81 See Ruling #2644
 Compared bc/ bl kc/gk gk/bc

By s/Ernest E. Muller, Sr.
 Ernest E. Muller, Sr., SWRS 273
 750 W. Pueblo St.
 Reno, Nv. 89509

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 existing rights. 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. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

The total combined duty of water under this permit and Permits 41543 and 41545 shall not exceed 547.5 million gallons annually.

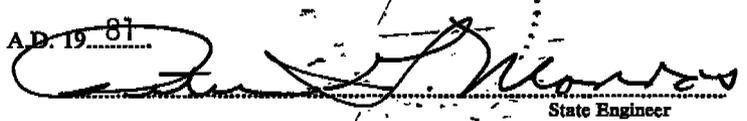
This permit is further subject to State Engineer's Ruling No. 2644 issued on May 20, 1981.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 cubic feet per second, but not to exceed 471.8 million gallons annually.

- 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..... July 30, 1982
- Proof of completion of work shall be filed before..... August 30, 1982
- Application of water to beneficial use shall be made on or before..... July 30, 1985
- Proof of the application of water to beneficial use shall be filed on or before..... August 30, 1985
- Map in support of proof of beneficial use shall be filed on or before..... August 30, 1985

- Commencement of work filed.....
- Completion of work filed.....
- Proof of beneficial use filed.....
- Cultural map filed.....
- Certificate No. Issued.....

IN TESTIMONY WHEREOF, I PETER G. MORROS
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 30th day of JULY

A.D. 19 81

 State Engineer

Abrogated By Per 61418 2.0