AMENDED

№ 41995

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

Date of filing in State Engineer's Office AUG 11 1980

Returned to applicant for correction OCT 27 1980

Corrected application filed DEC 4 1980

Map filed DEC 4 1980

The applicant Marriner V. Tolman

9756 S 520 E (Street and No. or P.O. Box No.), of Sandy (City or Town),

Utah 84070 (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.) N/A

1. The source of the proposed appropriation is underground - well (Name of stream, lake or other source.)

2. The amount of water applied for is 5.4 second-feet (One second-foot equals 448.83 gals. per min.)

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

3. The water to be used for irrigation (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) 320

   (b) Stockwater (state number and kinds of animals to be watered) N/A

   (c) Other use (describe fully under "No. 12. Remarks") N/A

   (d) Power:

      (1) Horsepower developed N/A

      (2) Point of return of water to stream N/A

5. The water is to be diverted from its source at the following point: NW¼SE¼, Section 3, Township 26 North, Range 70 East, Mount Diablo Base Meridian. Point of diversion lies S 56° 22' 26" W 4728.09 feet from the Southwest corner of said Section 3.
   (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 S½ Section 3, Township 26 North, Range 70 East, Mount Diablo Base Meridian, Elko County, Nevada
   (Describe by legal subdivision, if on unsurveyed land it should be so stated.)

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day), 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.) deep well turbine pressure pump mainlines and sprinklers
   (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 $90,000.00

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.

Will be used for irrigation.

Applicant

By s/M. V. Tolman
9756 S. 520 E
Sandy, Utah 84070

Compared ha/ kc bl/bc

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:

This application is herewith denied on the grounds that to grant the application for irrigation purposes on lands that the applicant does not own or control and cannot demonstrate the ability to place the water to beneficial use, would not be in the public interest and welfare.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

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 7th day of March, A.D. 19 86

State Engineer

218 (Rev.)