SECOND AMENDED

№ 42331

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

Date of filing in State Engineer's Office AUG 28 1980

Returned to applicant for correction NOV 20 1980 FEB 27 1981

Corrected application filed

Map filed

The applicant Joseph F. Zerga

2502 Whippoorwill Lane (Street and No. or P.O. Box No.), of Las Vegas (City or Town),

Nevada 89121 (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.)

1. The source of the proposed appropriation is Underground (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 ..... acre-feet

3. The water to be used for Irrigation and Domestic (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 acres

   (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 NW1/4 of the SW1/4 of Section 18, Township 11 North, Range 67 East, Mount Diablo Meridian, White Pine County, Nevada, from which the NW corner of Section 18, Township 11 North, Range 67 East, bears North 17° 36' West a distance of 4154 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 The West Half of Section 18, Township 11 North, Range 67 East, Mount Diablo Meridian, White Pine 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.) Drilled well with pump and pivot irrigation system, or an underground irrigation system in some portions where necessary.
   (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 Ten Thousand Dollars.

10. Estimated time required to construct works Two Years after authority to enter on the lands is granted.

11. Estimated time required to complete the application to beneficial use Five Years after authority to enter on the lands is granted.

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please advise our State Water-Right Surveyor, David F. Causey, P.O. Box 14846, Las Vegas, Nevada 89114, of any and all actions taken on this application.

Desert Land Entry application No. N 23284.

Applicant

By s/David F. Causey
David F. Causey, Agent
P.O. Box No. 14846
Las Vegas, Nevada 89114

Compared bl/ sg

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 hereby denied on the grounds that its approval would threaten to prove detrimental to the public interest.

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 R. Michael Turnipseed, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 5th day of May, A.D. ~~19~~ 2000

State Engineer

218 (Rev.)