THIRD AMENDED

№ 42928

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

Date of filing in State Engineer's Office DEC 8 1980

Returned to applicant for correction JAN 12 1981

Corrected application filed OCT 2 1981

Map filed OCT 2 1981

The applicant Hilltop Developers, Inc.

1830 Brundage Lane (Street and No. or P.O. Box No.), of Bakersfield (City or Town),

California 93304 (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.)

Incorporated in California June 16, 1960

1. The source of the proposed appropriation is an unnamed stream on land owned by Hilltop (Name of stream, lake or other source.) Developers, Inc. in Section 33; T.21N., R.19E., Lemmon Valley

2. The amount of water applied for is five (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 quasi-municipal (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)

   (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: a point which bears N 30°21' W., a distance of 2917.03 feet from the South ¼ corner of Section 33, T.21N., R.19E., (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.) M.D.B.&M. Said point being located within the NW¼ of SW¼ of Section 33.

6. Place of use Portions of the NW¼ - NW¼, NE¼-NW¼, SW¼-NW¼, NW¼-NE¼, SW¼-NE¼, NW¼ - SW¼, (Describe by legal subdivision, if on unsurveyed land it should be so stated.) NE¼ - SW¼, SE¼ - SW¼, NW¼ - SE¼, SE¼ - SE¼, and all of the SE¼ - NW¼ and the SW¼ - SE¼ all in Section 33, T.21N., R.19E., M.D.M.

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.) diversion weir and pipeline.

   State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works $10,000.00

10. Estimated time required to construct works Two (2) months
If well completed, describe works.

11. Estimated time required to complete the application to beneficial use Five (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.

For domestic use of up to 1500 single family houses or a combination of 1500 units of single family, multi-family, mobile home and condominium units.

Hilltop Developers, Inc.
Applicant

By s/Milton L. Sharp, Agent
Signature, applicant or agent
P.O. Box 11456, Reno, Nevada 89510

Compared bc/bl 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 hereby denied on the grounds that there is no established availability to the source and it is not in 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 PETER G. MORROS State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 8th day of November, A.D. 19 85

Peter G. Morros
State Engineer

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