

AMENDED

ASSIGNED
No. 43109

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

Date of filing in State Engineer's Office..... JAN 15 1981
Returned to applicant for correction..... MAR 18 1981
Corrected application filed..... FEB 13 1981
Map filed..... MAY 14 1981

The applicant Hill and Dale Land Co.
5272 Scotts Valley Drive, of Scotts Valley,
Street and No. or P.O. Box No. City or Town
Calif. 95066
State and Zip Code No., hereby make^s 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 Unnamed Spring (aka McLeod Spring)
Name of stream, lake or other source.

2. The amount of water applied for is 3.0 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 & 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)..... 240 ac.

(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: located in the SE 1/4 of NE 1/4, Sec. 32, T14N, R43E, MDB&M at a point that bears S 07° 49' 40" W a distance of 2114.48
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 SE 1/4 of NE 1/4, Sec. 32; NE 1/4 of NW 1/4, W 1/2 of NE 1/4, NW 1/4 of SE 1/4, NE 1/4 of SW 1/4, Sec. 33, T14N, R43E, MDB&M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about Jan. 1st and end about Dec. 31st, 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, install collection box and establish irrigation system.
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 \$5,000
- 10. Estimated time required to construct works 1 year
If well completed, describe works.
- 11. Estimated time required to complete the application to beneficial use 3 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Lowell D. Emery, SWRS 536
 By s/Lowell D. Emery
Signature, applicant or agent
 P.O. Box 84, Fallon, Nev. 89406

Compared bc/bl js/bc

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. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

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, NRS 533.367.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

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 June 9, 1986

Proof of completion of work shall be filed before July 9, 1986

Application of water to beneficial use shall be made on or before June 9, 1987

Proof of the application of water to beneficial use shall be filed on or before July 9, 1987

Map in support of proof of beneficial use shall be filed on or before July 9, 1987

Commencement of work filed _____

Completion of work filed AUG 6 - 1991

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ issued _____

WITHDRAWN BY APPLICANT AUG 4 1992

[Signature] STATE ENGINEER

IN TESTIMONY WHEREOF, I, PETER G. MORROS

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of September,

A.D. 19 85

[Signature]

State Engineer