AMENDED

№ 44774

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

Date of filing in State Engineer's Office OCT 29 1981

Returned to applicant for correction

Corrected application filed APR 1 1982

Map filed APR 1 1982

The applicant United States Government, Dept. of the Interior, Bureau of Land Management P.O. Box 194 (Street and No. or P.O. Box No.), of Battle Mountain (City or Town), Nevada 89820 (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 (Rutabega Well) (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is .01 second-feet (One second-foot equals 448.83 gals. per min.)

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

3. The water to be used for livestock/wildlife/wild horses (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: 300 cattle, 4 horses, 20 deer

   (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: Within Gov't. Lot 4 (SW¼ SW¼), Section 31, T22N, R50E, M.D.M., or from a point from which the SW corner of said Section 31 bears S 50°58'25" W a distance of 1093.1 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 so stated.)

6. Place of use Within Gov't. Lot 4 (SW¼ SW¼), Section 31, T22N, R50E, M.D.M. (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.) Well (Existing) (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 $15,000

10. Estimated time required to construct works March 1983
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 1 year

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

None. Water will be available at the source for miscellaneous wildlife.

By s/Neil D. Talbot, Acting District Mgr.
P.O. Box 194 Battle Mountain, Nevada 89820

Compared bc/ja br/bc

Protested

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. 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 period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

This permit is issued with the express understanding and on the condition that existing grazing use of the public range by authorized users or permittees will not be impaired or adversely affected by approval and issuance of this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0095 cubic feet per second, or sufficient water to water 300 head of cattle and 4 horses.

Work must be prosecuted with reasonable diligence and be completed on or before November 16, 1984

Proof of completion of work shall be filed before December 16, 1984

Application of water to beneficial use shall be made on or before November 16, 1986

Proof of the application of water to beneficial use shall be filed on or before December 16, 1986

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

Completion of work filed SEP 27 1984

Proof of beneficial use filed FEB 20 1986

Cultural map filed

Certificate No. 11352 Issued APR 25 1986

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 16th day of NOVEMBER, A.D. 19 83

State Engineer

218 (Rev.)