

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

Date of filing in State Engineer's Office MAY 7 1982

Returned to applicant for correction

Corrected application filed

Map filed MAY 7 1982

The applicant James M. and Edward H. Smiley

Starr Valley, of Deeth, Nevada 89823

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

2. The amount of water applied for is .05 cfs second-foot

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

3. The water to be used for Stockwater

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: 500 Cattle

(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: SE 1/4 SE 1/4 of Section 12, T 37 N, R 62 E, MDB & M., at a point from which the SE corner of said Section 12 bears S 17° 27' 06" E 1142.87 feet.

6. Place of use SE 1/4 SE 1/4 of Section 12, T 37 N, R 62 E, MDB & M.

7. Use will begin about January 1 and end about December 31, 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, pipelines and stock troughs.

9. Estimated cost of works \$10,000

10. Estimated time required to construct works 3 years
If well completed, describe works.

11. Estimated time required to complete the application of water 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.

By s/Alan S. Boyack
Alan S. Boyack, Agent
515 South Fifth Street
Elko, Nevada 89801

Compared b1/js ja/b1

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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0156 cubic feet per second, or sufficient water to water 500 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before December 15, 1983

Proof of completion of work shall be filed before January 15, 1984

Application of water to beneficial use shall be made on or before December 15, 1985

Proof of the application of water to beneficial use shall be filed on or before January 15, 1986

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

Completion of work filed FEB 1 1984 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed NOV 14 1986 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed my office, this 15th day of DECEMBER

Certificate No. 11688 Issued JAN 22 1987 A.D. 1982

Peter G. Morros
State Engineer