AMENDED

No 46133

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

Date of filing in State Engineer's Office SEP 0 8 1982

Returned to applicant for correction OCT 2 6 1982

Corrected application filed DEC 0 6 1982

Map filed DEC 0 6 1982

The applicant Don and Martha Sims

P.O. Box 36 (Street and No. or P.O. Box No.), of Deeth (City or Town),

Nevada 89823 (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, spring, underground or other source)

2. The amount of water applied for is 1.0 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 Stockwater (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: 200 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: NW¼ NW¼, Section 25, T25N R34E, MDM, It is S12° 03' 29" E 1225.92 feet from the NW Corner of said section 25 (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 W½ NW¼ Section 25, and E½ NE¼ Section 26, T25N, R34E, MDM, Pershing 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, pump, motor and stock water tanks (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 3 yrs
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 7 years

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

s/ David M Boyer
By Omni-Means Ltd.
777 W. Second St.
Reno, Nev. 89503

Compared ds/bl bc/bl

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 0.0062 cubic feet per second, or sufficient water to water 200 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before July 11, 1984

Proof of completion of work shall be filed before August 11, 1984

Application of water to beneficial use shall be made on or before July 11, 1986

Proof of the application of water to beneficial use shall be filed on or before August 11, 1986

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

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 11th day of JULY, A.D. 19 83

Peter G. Morros
State Engineer

218 (Rev.)

CANCELLED OCT 08 1985 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Peter G. Morros
STATE ENGINEER