

AMENDED

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

APR 10 1990

Date of filing in State Engineer's Office.....

JUN 12 1990

Returned to applicant for correction.....

JUN 15 1990

Corrected application filed.....

MAR 27 1957 under 17212

Map filed.....

The applicant HARRY L. LAY

795 W. 11 th Street, of RENO, City or Town

NEVADA 89503, 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.) (formerly, Doris H. THORNTON), 801 Cherry Lane, Reno, NV (1/4 interest); Verne & Andrea WOODBURY, 4905 Ross Drive, Reno, NV (1/4 interest); and Thomas B. SMART, 2495 96th St., N.E., Bellevue, WA 98004, representing the heirs of Thomas L. SMART, NOW DECEASED (1/4 interest).

1. The source of the proposed appropriation is Unnamed springs

Name of stream, lake, spring, underground or other source

Map filed March 27, 1957, under permit 17212

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 Quasi-municipal and fire protection for proposed development

3. The water to be used for of 90 acres for industrial facilities.

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 SE 1/4 SE 1/4 Section 7, T. 20 N., R. 19E

Describe as being within a 40-acre subdivision of public

MDB&M, or at a point from which the E 1/4 corner of Section 7, T. 20 N., R. 19E MDB&M survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

bears N. 38° E, 1750 feet.

6. Place of use E 1/2 SE 1/4 and portions of the N 1/2 Section 7, T. 20 N., R. 19 E, MDB&M.

Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, 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.)

Development of springs and distribution by pipeline for full length of property - pressured by pump station.

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. \$45,000.00

10. Estimated time required to construct works..... TWO YEARS
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... TWO YEARS

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

Refer to map filed under permit 17212 and accompanying "PROPERTY STUDY MAP."

HARRY L. LAY s/ Harry L. Lay
By 795 W. 11th Street
Reno, Nevada 89503

Compared... pm/ bp..... jr/bk

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 0.0223 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. 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.

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0223 cubic feet per second, but not to exceed 16.13 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 12, 2000

Proof of completion of work shall be filed on or before April 12, 2000

Application of water to beneficial use shall be made on or before March 12, 2003

Proof of the application of water to beneficial use shall be filed on or before April 12, 2003

Map in support of proof of beneficial use shall be filed on or before April 12, 2003

Completion of work filed..... IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P. E. State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed..... office, this 12th day of March

Cultural map filed.....

Certificate No..... Issued..... A.D. 19... 1998

Michael Turnipseed P.E.
State Engineer