

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

Date of filing in State Engineer's Office SEP 07 1999  
 Returned to applicant for correction \_\_\_\_\_  
 Corrected application filed SEP 09 1999  
 Map filed SEP 09 1999

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The applicant Earl M. Carter, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is Underground
2. The amount of water applied for is 0.5 second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for Commercial (grocery store, bar & caretakers residence)
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 $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, T.32N., R.55E., M.D.B.&M. or at a point from which the NW corner of said Section 15 bears N. 70<sup>0</sup> 03' 17" W., 5232.71 feet
6. Place of Use Portion of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, T.32N., R55E., M.D.B.&M.
7. Use will begin about Jan. 1 and end about Dec. 31 of each year.
8. Description of proposed works well, pump & pipe lines grocery store, bar & caretakers residence
9. Estimated cost of works \$25,000
10. Estimated time required to construct works 3 years
11. Estimated time required to complete the application of water to beneficial use 3 years
12. Remarks: It is estimated total daily use, on the average, will be 1800 gallons per day. Or an annual consumptive use of 657,000 gallons of water. The complex for the use of water will be for a bar, grocery store & small residence for caretaker.

s/ Charles C. Armuth Jr.  
 By Charles C Armuth, Jr. WRS #425  
 421 Railroad St.  
 Elko, NV 89801

Compared gkl/cmf ag/cmf

Protested 12/1/99 Lawrence Moiola; 12/1/99 Mitchell Moiola;  
 Pro. Overruled 4/14/2004 See Ruling #5340

65480

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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 existing rights. 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 amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. 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.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.05 cubic feet per second, **but not to exceed 0.657 million gallons annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

May 26, 2006

Proof of completion of work shall be filed on or before:

June 26, 2006

Water must be placed to beneficial use on or before:

May 26, 2009

Proof of the application of water to beneficial use shall be filed on or before:

June 26, 2009

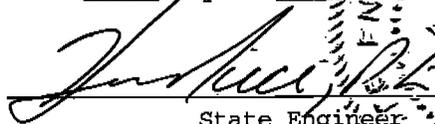
Map in support of proof of beneficial use shall be filed on or before:

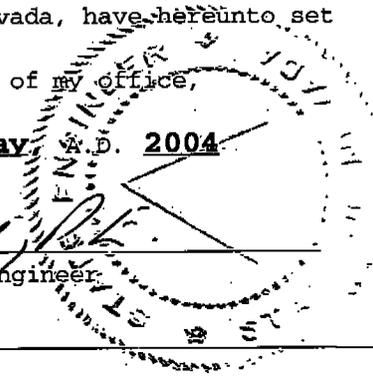
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 26th day of May, A.D. 2004

  
State Engineer



Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

