

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

Date of filing in State Engineer's Office NOV 29 1999 NEW PRIORITY DATE: APR 7 2008
Returned to applicant for correction DEC 20 1999
Corrected application filed
Map filed FEB 22 2000

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The applicant Kenneth Acton and/or Brenda Acton 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 0.07 second-feet
(a) If stored in reservoir give number of acre-feet N/A
3. The water to be used for commercial
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") See item 12.
(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 the NW 1/4 of the SE 1/4 of Section 31, T19S, R53E, MDB&M or at a point from which the East 1/4 corner of said Section 31 bears N 76°03'22" E 1939.51 feet.
6. Place of Use being a portion of the NW 1/4 of the SE 1/4 of Section 31, T19S, R53E, MDB&M Nye County Nevada and being Lot 110 of Gooseneck Park as shown on Nye County Records Map File No. 35764. Containing 2.4± acres
7. Use will begin about January 1st and end about December 31st of each year.
8. Description of proposed works Existing well with submersible pump.
9. Estimated cost of works \$5000.00
10. Estimated time required to construct works existing 140 foot well with 1 1/2 HP submersible pump.
11. Estimated time required to complete the application of water to beneficial use 6 years

12. Remarks: **Six manufacturing buildings and landscaping to use not over 1800 gallons per day.**

By **s/Kenneth W. Acton**  
**2331 Blosser Ranch Road**  
**Pahrump, Nevada 89048**

Compared cmf/gkl hf/cmf

Protested \_\_\_\_\_

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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 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.

(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 0.07 cubic feet per second, **but not to exceed 2.02 acre-feet annually.**

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

December 19, 2001

Proof of completion of work shall be filed before:

January 19, 2002

Water must be placed to beneficial use on or before:

December 19, 2004

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

January 19, 2004

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 19th day of December A.D. 2000

*Hugh Ricci, P.E.*  
\_\_\_\_\_  
State Engineer

Completion of work filed FEB 14 2002  
Proof of beneficial use filed \_\_\_\_\_  
Cultural map filed N/A  
Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

~~CANCELLED MAR 28 2008 BECAUSE OF  
FAILURE OF APPLICANT TO COMPLY WITH THE  
PROVISIONS OF PERMIT  
*Tony Taylor, P.E.*  
STATE ENGINEER  
*Can. Rescinded 12-10-2008*~~