ASSIGNED

Serial No. 20315

AMENDED

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office FEB 23 1962

Returned to applicant for correction SEP 20 1962

Corrected application filed NOV 19 1962

Map filed NOV 19 1962 under 20313

The applicant Kenneth F. Johnson

of P.O. Box 1106, Carson City, County of Ormsby,

State of Nevada, 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 Upper Tunnel
   Name of stream, lake or other source.

2. The amount of water applied for is 0.20 second-feet
   One scond-foot equals 448.83 gals. per min.

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

3. The water to be used for Mining, milling and domestic
   Irrigation, power, mining, manufacturing, domestic, or other 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. 11. 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: in the SE¼ SE¼ section 4, T. 11 N., R. 21 E., M.D.B.&M., from which the south ¼ corner of said section 4 bears S. 87° 42' 22" W., 1402.05 feet.
   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 stated.

6. Place of use Section 10, T. 11 N., R. 21 E., M.D.B.&M.
   Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1st (Month) and end about December 31st (Month), 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.) water to picked up from the tunnel and piped to the mill.
   State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works $2,000.00

10. Estimated time required to construct works 5 years

11. Remarks The water to be used in milling and treatment of ore to be mined from the Danite group of claims.

Applicant Kenneth F. Johnson

By s/ Walter G. Reid
State Water Rights Surveyor

Compared hs/lb hs/ns

FORFEITED
RULING NO. By letter
DATE APR 29 1999

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 0.20 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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.20 cubic feet per second

Actual construction work shall begin on or before October 14, 1964

Proof of commencement of work shall be filed before November 14, 1964

Work must be prosecuted with reasonable diligence and be completed on or before October 14, 1965

Proof of completion of work shall be filed before November 14, 1965

Application of water to beneficial use shall be made on or before October 14, 1968

Proof of the application of water to beneficial use shall be filed on or before November 14, 1968

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

Commencement of work filed Nov. 12, 1964
Completion of work filed Nov. 16, 1965
Proof of beneficial use filed DEC. 13, 1968
Cultural map filed
Certificate No. 6908 Issued 1-20-69
Recorded 1-23-69 Bk. 64 Page 571
Douglas County Recorder
218 (Rev.)

WITNESS MY HAND AND SEAL this 14th day of April, 1964

ELMO J. DeRICCO
State Engineer

By [signature]
Assistant State Engineer