ASSIGNED
№ 32241

AMENDED

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

Date of filing in State Engineer's Office JUN 23 1977

Returned to applicant for correction NOV 28 1977

Corrected application filed JAN 9 1978

Map filed JAN 9 1978

The applicant Flying Diamond Ranches, Inc.

P. O. Box 150 (Street and No. or P.O. Box No.), of Ely (City or Town),

Nevada 89301 (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.)

Incorporated in the State of Utah on April 19, 1971

1. The source of the proposed appropriation is Underground Well No. 19
   (Name of stream, lake or other source.)

2. The amount of water applied for is 10.8 cfs second-feet
   (One second-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 Irrigation and Domestic
   (Irrigation, power, mining, manufacturing, domestic, or other use.)

4. If use is for:

   (a) Irrigation (state number of acres to be irrigated) 640 acres

   (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: in the SW¼ NE¼ of Section 1, T.10N., R.57E., M.D.B. & M., whence the Northwest Corner of said Section 1, bears N. 45° 53' W., 3,714.55 feet distant
   (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 All in Section 1, T.10N., R.57E., M.D.B. & M.
   (Describe by legal subdivision, if on unsurveyed land it should be so stated.)

7. Use will begin about January 1 (Day and Month) and end about December 31 (Day and 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.) By Sprinkler System

   (State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

32241

9. Estimated cost of works $20,000.00

10. Estimated time required to construct works 3 years

11. Estimated time required to complete the application to beneficial use 5 years

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

This application is filed in support of a Carey Land Act Application.

Applicant Flying Diamond Ranches, Inc.

By s/ Richard W. Forman
Richard W. Forman, Agent
P. O. Box 150
Ely, Nevada 89301

Compared jv/ga

DENIAL 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 application is hereby denied on the grounds that the approval would threaten to prove detrimental to the public interest.

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

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

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

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

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

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

Commencement of work filed
Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk. Page
County Recorder

IN TESTIMONY WHEREOF, I TRACY TAYLOR, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 25th day of August, A.D. ~~19~~ 2006.

Tracy Taylor, P.E.
State Engineer

218 (Rev.)