

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

Date of filing in State Engineer's Office MAR 26 1981
Returned to applicant for correction MAY 18 1981
Corrected application filed SEP 4 1981
Map filed SEP 4 1981

The applicant United States of America - Forest Service
324 25th Street, of Ogden, Utah 84401
Street and No. or P.O. Box No. City or Town 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.)

1. The source of the proposed appropriation is Upper Cherry Spring
Name of stream, lake or other source.

2. The amount of water applied for is 0.04 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 livestock & wildlife water
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) 1250 sheep, 290 cattle, 40 horses, 360 deer

(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 NW 1/4 Sec 12, T25N R56E, MDB&M
or at a point bearing South 39° 53' East a distance of 10,000 feet from the SW
section corner of Sec 35, T26N R56E, MDB&M
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 portions of SE 1/4 NW 1/4 Sec 12, NW 1/4 SE 1/4 Sec 14, SE 1/4 NE 1/4 Sec 15 all in
T25N R56E (unsurveyed)
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about 16 May and end about 31 October, 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.) headbox with pipeline to 3 troughs

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..... \$10,000

10. Estimated time required to construct works..... in place
If well completed, describe works.

11. Estimated time required to complete the application to beneficial use..... 1 year

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 to perfect the water right and secure a final certificate.
 Vested rights (Proof 03360) are not waived by the filing of this application.
 Please address any future correspondence to the Humboldt National Forest, 976 Mtn
 City Hwy, Elko NV 89801
 United States of America-Forest Service

Applicant
 Compared bc/bl js/bc
 By s/Richard F. Sanders
 (for L. KENT MAYS, JR., Signature, applicant or agent DFR, Resources
 324 25th Street, Ogden, Utah 84401

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 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 period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

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.

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 subject to the State Engineer's ruling #3242 dated October 4, 1985.

The period of use of this permit is limited to May 16th to October 31st of each year.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.02..... cubic feet per second, or sufficient to water 1250 sheep, 290 head of cattle, 40 horses and 360 deer.

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..... November 21, 1986

Proof of completion of work shall be filed before..... December 21, 1986

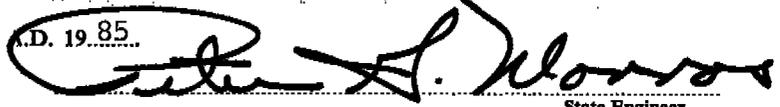
Application of water to beneficial use shall be made on or before..... November 21, 1988

Proof of the application of water to beneficial use shall be filed on or before..... December 21, 1988

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

Commencement of work filed.....
 Completion of work filed..... DEC 12 1986
 Proof of beneficial use filed..... DEC 15 1989
 Cultural map filed.....
 Certificate No. 12572 Issued NOV 19 1990

IN TESTIMONY WHEREOF, I..... PETER G. MORROS
 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this..... 21st..... day of..... November.....

A.D. 19 85.

 State Engineer