



THE STATE OF NEVADA
PERMIT TO APPROPRIATE WATER

Name of applicant: GLEN D. SOUTHWICK & SUSAN SOUTHWICK
Source: COLD SPRING
Basin: HOT CREEK
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 05/03/1983

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 2.5 cubic feet per second 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.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 46848 and 46849, having the same place of use, shall not exceed 560.00 acre-feet annually.

This permit is subject to the condition that the permittee must ensure that wildlife which has 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.

Permit 46848 (Cold Spring) and Permit 46849 (Cress Spring) are issued for irrigation and domestic purposes on 160.0 acres of land, further described by the Nye County Assessor as APN 007-481-03, and are 100% supplemental. It is further understood that the amount of water herein granted is limited to the amount of water actually produced by the spring, and no rights in excess of that amount are implied or inferred.

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.5 cubic feet per second or 560.0 acre-feet annually, and not to exceed a yearly duty of 3.5 acre-feet per acre of land irrigated from any and all sources.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

January 20, 2010

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

January 20, 2012

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

January 20, 2012

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 20th day of January, A.D. 2009

Tracy Taylor P.E.

for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAY 3 1983

Returned to applicant for correction

Corrected application filed

Map filed MAY 3 1983 under 46847

The applicant MELINDA MOFFET

Hot Creek, of via Tonopah, Nevada 89049

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 Cold Spring

2. The amount of water applied for is 2.5 second-feet

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

3. The water to be used for Irrigation and Domestic

4. If use is for:

(a) Irrigation, state number of acres to be irrigated: 160 Ac

(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 1/4 of NW 1/4 Sec. 22 T.8 N., R. 49 E. MDB&M or at a point from which the SE corner of Sec. 22 bears S 51°-44' E 5030 feet.

6. Place of use S 1/2 of NW 1/4; NE 1/4 of SW 1/4; NW 1/4 of SE 1/4 Sec. 22 T. 8 N., R. 49 E. MDB&M.

7. Use will begin about 1 January and end about 31 December, 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.) Irrigation ditches from Spring

9. Estimated cost of works \$ 3,000.00

10. Estimated time required to construct works 3 yrs
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 yrs

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

By s/Melinda Moffet
Hot Creek Ranch
Tonopah, NV 89049

Compared js/tls

Protested Pro. 8/31/83 by Daniel H. and Roberta A. Russell; Dismissed 9/25/08 by letter

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:

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.....

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.....

Completion of work filed..... IN TESTIMONY WHEREOF, I.....

Proof of beneficial use filed..... State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed..... my office, this.....day of.....

Certificate No..... Issued..... A.D. 19.....