№ 51492

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

Date of filing in State Engineer's Office NOV 5 1987

Returned to applicant for correction

Corrected application filed

Map filed JAN 12 1988 under 51329

The applicant Lands of Sierra, Inc.

50 West Liberty St. #720 (Street and No. or P.O. Box No.), of Reno (City or Town),

Nevada 89501 (State and Zip Code No.), hereby make S 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.) Nevada - May, 1964

1. The source of the proposed appropriation is North Chicken Spring (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 0.05 cfs (One second-foot equals 448.83 gals. per min.) second-feet

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

3. The water to be used for Stockwater and Domestic (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 800 cattle

   (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 within the SW¼ NE¼ Section 13, (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 so stated.) T 43 N, R 66 E, MDM, from which the N ¼-section corner of Section 35, in said township, bears S 24° 19' W, 15,114 feet dist.

6. Place of use SW¼ NE¼ Section 13, T 43 N, R 66 E, MDM (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day), 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.) construction of shallow earthen pond (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.) to impound flow from spring

9. Estimated cost of works $600 (completed)

10. Estimated time required to construct works N/A - Completed
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use Two Years

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

Existing works of diversion, and any improvement undertaken in future, will not preclude casual use of water by wild life.

Please send copies of notices and correspondence to:

William A. Nisbet 421 Court - Elko, Nevada 89801

s/Jack S. Ross
By Jack S. Ross
50 West Liberty Street #720
Reno, Nevada 89501

Compared jm/se bp/se

Protested 3/23/88 by BLM
Pro. Overruled 1/30/90; See Ruling #3682

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the followng 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 subject to State Engineer's Ruling #3682 dated January 30, 1990.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.025 cubic feet per second, or sufficient to water 800 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before May 2, 1992

Proof of completion of work shall be filed on or before June 2, 1992

Application of water to beneficial use shall be made on or before May 2, 1994

Proof of the application of water to beneficial use shall be filed on or before June 2, 1994

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

Completion of work filed JUN 28 1991

Proof of beneficial use filed Jun 28, 1991

Cultural map filed

Certificate No. 12998 Issued SEP 12 1991

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2nd day of May, A.D. 19 90.

R. Michael Turnipseed P.E.
State Engineer

(O)-5314 (Rev.)