

RECORDED

Nº 51507

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

NOV 5 1987

Date of filing in State Engineer's Office.....

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, of Reno Nevada 89501, 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.) Nevada - May, 1964

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

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

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

3. The water to be used for Stockwater & 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 1,100 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 SW 1/4 NW 1/4 Section 17, T 42 N, R 70 E, MDM, from which the NE corner of Section 16, T 42 N, R 70 E, MDM, bears N 75° 55' E, 6,975 feet dist.

6. Place of use SW 1/4 NW 1/4 Section 17, T 42 N, R 70 E, MDM Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year. 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.) no work of diversion necessary; livestock able to drink from stream below spring flumes, drilled well with pump and motor, etc. State manner in which water is to be diverted, i.e. diversion structure, ditches and

9. Estimated cost of works -0-

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

By... s/Jack S. Ross
Jack S. Ross
50 West Liberty Street #720
Reno, Nevada 89701

Compared..... jjk/se..... jjk/bc...

Protested.....

.....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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.0343.....cubic feet per second, or sufficient to water 1100 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before..... MAY 13, 1989

Proof of completion of work shall be filed on or before..... JUNE 13, 1989

Application of water to beneficial use shall be made on or before..... MAY 13, 1990

Proof of the application of water to beneficial use shall be filed on or before..... JUNE 13, 1990

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

Completion of work filed..... JUN 30 1989 IN TESTIMONY WHEREOF, I..... PETER G. MORROS

Proof of beneficial use filed..... JUN 30 1989 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this..... 13th..... day of..... MAY

Cultural map filed.....

Certificate No..... 12724 Issued..... MAR 29 1991 A.D. 19..... 88

Peter G. Morros
State Engineer