ASSIGNED

AMENDED

№ 52307

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

Date of filing in State Engineer's Office JUL 07 1988

Returned to applicant for correction AUG 15 1988

Corrected application filed AUG 22 1988

Map filed AUG 03 1988 under 52302

The applicant BERT T. SWANSTON, AN UNDIVIDED 1/3 INTEREST: ROBERT SWANSTON, AN UNDIVIDED 1/3 INTEREST: ROBERT LEAL & ELYSIAN FARMS INC., AN UNDIVIDED 1/3 INTEREST.

500 "N" Street, Suite 23 (Street and No. or P.O. Box No.), of Sacramento (City or Town),

CA 95814 (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.)

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

2. The amount of water applied for is 1.0 c.f.s. (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 Irrigation (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 3500

   (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 SW¼ SW¼, Section 22 T. 36 N., R 66 E. M.D.B.&M., or at a point from which the SW corner of said Section 22 Bears S. 17° 58' 33" W., 1296.80'. (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.)

6. Place of use Sections 23; 25; W^2 W^2, 26; 35, T. 36N. R. 66 E., M.D.B.&M. And W^2, 2; E^2 E^2, 10; 1; 11; 14; 15; 22; 23; 27; T. 35 N. R 66 E. M.D.B.&M. (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.) Ditches, Pipeline, Reservior (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 $25,000.00

10. Estimated time required to construct works 2 years
If well completed, describe works.

11. Estimated time required to complete the application of water 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.

By /s/ Jack D. Ferris
THIEL, WINCHELL & ASSOCIATES
5151 So. Carson St., Suite 301
Carson City, NV 89701

Compared kh/ jm

Protested

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:

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 on or 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

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I State Engineer of Nevada, have hereunto set my hand and the seal of my office, this day of, A.D. 19

State Engineer

(O)-5314 (Rev.)