№ 52818

AMENDED

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

Date of filing in State Engineer's Office DEC 22 1988

Returned to applicant for correction JAN 27 1989

Corrected application filed MAR 24 1989

Map filed MAR 24 1989 under 52804

The applicant Joe B. Fallini, Jr., Helen L. Fallini and Susan L. Fallini

Street and No. or P.O. Box No., of Twin Springs via Tonopah City or Town,

Nevada 89049 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 Joe Hardy Spring
   Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.032 second-feet
   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
   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 1000 cattle, 25 horses

   (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 NE¼ SW¼ Sec. 31, T.2N., R.50E., M.D.B. & M. or at a point from which the NE Cor. Sec. 4, T.1N., R.50E., M.D.B. & M. bears S 84°23' E a distance of 14,150 feet.
   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 NE¼ SW¼, Sec. 31, T.2N., R.50E., 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.) spring source
   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 $1,000.00

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

11. Estimated time required to complete the application of water to beneficial use 2 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/ Bruce L. Rice
P.O. Box 130
Smith, Nevada 89430

Compared kh/ pas pm/se

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 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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.032 cubic feet per second, or sufficient to water 1,000 head of cattle and 25 head of horses.

Work must be prosecuted with reasonable diligence and be completed on or before June 28, 1990

Proof of completion of work shall be filed on or before July 28, 1990

Application of water to beneficial use shall be made on or before June 28, 1991

Proof of the application of water to beneficial use shall be filed on or before July 28, 1991

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

Completion of work filed SEP 28 1990

Proof of beneficial use filed AUG 28 1991

Cultural map filed

Certificate No. 13100 Issued OCT 15 1991

IN TESTIMONY WHEREOF, I PETER G. MORROS State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 28th day of June, A.D. 19 89

Peter G. Morros
State Engineer

(O)-5314 (Rev.)