Permit No. 53059

THE STATE OF NEVADA
PERMIT TO APPROPRIATE WATER

Name of applicant: JOE B. FALLINI, JR., HELEN L. FALLINI & SUSAN L. FALLINI

Source: SOUTH THREE SPRINGS NO. 2

Basin: HOT CREEK

Manner of Use: STOCKWATERING

Period of Use: January 1st to December 31st

Priority Date: 03/24/1989

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.

The total combined duty of water under Proof V-04812 and Permit 53059 shall not exceed 0.032 cubic feet per second and 22.96 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.

It is 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.

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 1000 head of cattle and 25 domestic horses.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **January 17, 2009**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **January 17, 2011**

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

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 17th day of **January**, A.D. **2008**

Tracy Taylor P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

№ 53059

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

Date of filing in State Engineer's Office MAR 24 1989

Returned to applicant for correction

Corrected application filed

Map filed MAR 24 1989 under 52809

The applicant Joe B. Fallini, Jr., Helen L. Fallini & 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 South Three Springs No. 2
   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 SW¼ SW¼, Sec. 1, T.1N., R.49E., M.D.B. & M. or at a point from which the NE Cor. Sec. 4, T.1N., R.50E., M.D.B. & M. bears N 77°39' E a distace of 19,715 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 SW¼ SW¼, Sec. 1, T.1N., R.49E., 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.

See map under 52816

By s/ Bruce L. Rice
P.O. Box 130
Smith, NV 89430

Compared pm/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.)