AMENDED

Nº 53551

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

Date of filing in State Engineer's Office JUN 29 1989

Returned to applicant for correction JUN 29 1990

Corrected application filed AUG 28 1990

Map filed AUG 28 1990 under 53503

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

Twin Springs (Street and No. or P.O. Box No.), of 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 Upper Bellehelen Creek (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 0.1 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 Recreation & 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

   (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 SE¼ NE¼, Sec. 13, T.2N., R.49E., (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.) M.D.B.&M., or at a point from which the SW Cor. Sec. 6, T.2N., R.50E., M.D.B.&M. bears N 01° 07' E a distance of 6600 feet.

6. Place of use SE¼ NE¼, Sec. 13, T.2N., R.49E., M.D.B.&M. (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about Jan 1 (Month and Day) and end about Dec. 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.) well, pump and trough (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 $5,000

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

11. Estimated time required to complete the application of water to beneficial use 3 yrs

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/Katherine A. Rice
P.O. Box 130
Smith, Nv 89430

Compared bc/nsm

Protested 11/19/90 by: USDI, Bureau of Land Management

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the followng limitations and conditions:

Applications 53473 through 53554, inclusive, 53556, 53557, 53559 through 53565, inclusive, 53567 through 53576, inclusive, 53578 through 53582, inclusive, 53585 through 53588, inclusive, are hereby denied on the grounds that the applicants have not submitted the information requested by the State Engineer's office, that without this information the granting of the applications would be detrimental to the public interest, and that the applicants have not sufficiently demonstrated a reasonable expectation to apply the water from 110 different sources to the intended beneficial use.

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 R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 17th day of April, A.D. 19 97

R. Michael Turnipseed P.E.
State Engineer

(O) 5314 (Rev.)