

AMENDED

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

--- NOV 20 1989 NEW PRIORITY DATE: JAN 15 1992

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

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... DEC 22 1989

The applicant USDI - Bureau of Land Management Star Route 5, Box 1, of Ely, Nevada 89301

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.)

Under Ground Source

1. The source of the proposed appropriation is Tommy Knocker Water Well

2. The amount of water applied for is .05 cfs second-feet

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

3. The water to be used for Stockwatering, wild horse and wildlife purposes

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. 1,000 cattle, 500 wild horses, 500 deer

(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 SW 1/4 SE 1/4 of Sec. 28, T.23N., R.59E., M.D.M., from which point the SE section corner of said section 28 bears S 81° 46'56" E. for a distance of 1,896.66 feet.

6. Place of use SW 1/4 SE 1/4 of section 28, T.23N., R.59E., M.D.M. Unsurveyed land.

7. Use will begin about January 1 and end about December 31, 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, pipeline, storage tanks and stock tanks.

9. Estimated cost of works \$25,000.00

- 10. Estimated time required to construct works Three years (Well has been drilled and cased by Mobil Oil. Refer to attached Well Drillers Report)
If well completed, describe works.
- 11. Estimated time required to complete the application of water to beneficial use Three years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

s/Hal M. Bybee
 By s/Hal M. Bybee
 Star Route 5, Box 1
 Ely, NV 89301

Compared bp/db bp/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 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. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued with the express understanding and on the condition that existing grazing use of the public range by authorized users or permittees will not be impaired or adversely affected by approval and issuance of 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 0.05 cubic feet per second, or sufficient to water 1,000 head of cattle, 500 wild horses and 500 deer.

Work must be prosecuted with reasonable diligence and be completed on or before June 19, 1991

Proof of completion of work shall be filed on or before July 19, 1991

Application of water to beneficial use shall be made on or before June 19, 1993

Proof of the application of water to beneficial use shall be filed on or before July 19, 1993

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

Completion of work filed MAR 27 1992 IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed JUL 15 1992 State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed _____ office, this 19th day of June,

Certificate No. 13531 Issued NOV 23 1992 A.D. 1990

[Signature]
 State Engineer

(0)-5314 (Rev.)
DEC - 6 1991
 CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
[Signature] STATE ENGINEER
 Can. Rescinded 1-10-92