

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

Date of filing in State Engineer's Office. OCT 09 1992

Returned to applicant for correction.

Corrected application filed.

Map filed. OCT 09 1992 under 58232

The applicant Bently Nevada Corporation 401(k) Plan & Trust

P.O. Box 157, of Minden

Nevada 89423, 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.) Incorporated in Nevada - October 20, 1961

Trust agreement was effective January 1, 1988

1. The source of the proposed appropriation is Spring

2. The amount of water applied for is 0.022 c.f.s. second-feet

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

3. The water to be used for Irrigation

4. If use is for:

(a) Irrigation, state number of acres to be irrigated 1.0 acre

(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 NE 1/4 SE 1/4, Section 1, T.10N., R.21E., M.D.B.&M., or at a point from which the S 1/4 corner of Section 36, T.11N., R.21E., M.D.B.&M., bears N. 29° 30' 00" W., a distance of 3820.0 feet.

6. Place of use Portions of the NE 1/4 SE 1/4, Section 1, T.10N., R.21E., M.D.B.&M. and portions of the NW 1/4 SW 1/4, Section 6, T.10N., R.22E., M.D.B.&M.

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.) Improve spring outlet & ditches

flumes, drilled well with pump and motor, etc.

- 9. Estimated cost of works..... \$500.00
- 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/Robert H. Cantley
 THIEL, WINCHELL & ASSOC., INC.
 34 Lakes Blvd, Suite 101
 Dayton, Nevada 89403

Compared..... bc/bc ab/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. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

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 0.022 cubic feet per second, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources, but not to exceed 4 acre-feet annually.

- Work must be prosecuted with reasonable diligence and be completed on or before..... December 15, 1995
- Proof of completion of work shall be filed before..... January 15, 1996
- Application of water to beneficial use shall be filed on or before..... December 15, 1998
- Proof of the application of water to beneficial use shall be filed on or before..... January 15, 1999
- Map in support of proof of beneficial use shall be filed on or before..... January 15, 1999

Completion of work filed..... JAN 14 1998

Proof of beneficial use filed..... FEB 16 2001

Cultural map filed..... FEB 16 2001

Certificate No. 15707 Issued..... MAR 28 2001

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 15th day of December
 A.D. 1993

Michael Turnipseed
 State Engineer