

ASSIGNED

No. 58492

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

Date of filing in State Engineer's Office..... JAN 21 1993

Returned to applicant for correction.....

Corrected application filed.....

Map filed..... JAN 21 1993

The applicant..... Donald Lani

S.R. T3 Box 8, of Ely,
Street and No. or P.O. Box No. City or Town

Nevada 89301, hereby make S application for permission to appropriate the public
State and Zip Code No.

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..... Tunnel Spring
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is..... 0.05 cfs.....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..... Irrigation & 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..... 80 acres

(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..... in the SW 1/4 NE 1/4 of Section 30,
Describe as being within a 40-acre subdivision of public
T.11N., R.58E., M.D.B.&M., whence the Southwest Corner of said Section 30 bears
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
S. 52° 04' 45" W., 4,499.86 feet distant.

6. Place of use..... the N 1/2 SE 1/4 of Section 31, T.11N., R.58E., M.D.B.&M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about..... January 1.....and end about..... December 31....., of each year.
Month and Day Month and Day

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.)..... Collection Box and 2" pipeline.
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..... \$10,000

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

11. Estimated time required to complete the application of water to beneficial use..... five years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

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.....
.....

By s/Richard W. Forman
Richard W. Forman Agent
P.O. Box 150
Ely, Nevada 89301

Compared bc/bc lt/gkl

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 existing rights. 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.

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 amount of water actually placed to beneficial use.

A totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed. The totalizing meter must be maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use.

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 Permits V-01325, 8047 and 58492 shall not exceed 203.12 acre-feet annually on 47.72 acres. Note that Permit 8047, Certificate 2061 was issued for 27.0 acre-feet annually on 3.69 acres.

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.

(Continued on Page 3)

(Permit Terms Continued)

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 changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.05 cubic feet per second, but not to exceed 36.2 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before:

July 28, 2007

Proof of completion of work shall be filed on or before:

August 28, 2007

Water must be placed to beneficial use on or before:

July 28, 2009

Proof of the application of water to beneficial use shall be filed on or before:

August 28, 2009

Map in support of proof of beneficial use shall be filed on or before:

August 28, 2009

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 28th day of July, A.D. 2006

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____