ASSIGNED

No. 58662

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

Date of filing in State Engineer's Office MAR 25 1993

Returned to applicant for correction APR 09 1993

Corrected application filed

Map filed APR 01 1982 under 45488

The applicant William C. Cummings

7700 College Town Dr., Ste. 208 (Street and No. or P.O. Box No.), of Sacremento (City or Town),

California, 95826 (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 Underground (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 6.0 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 Irrigation and 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 1,600 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 within the SE¼ SE¼ Sec. 2, T.40N., R.27E., M.D.B.&M., or at a point from the West ¼ corner Section 11, T.40N., R.27E., M.D.B.&M., bears S 49° 56' W, 3,509 feet distance. (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 W½ SW¼ Sec. 1; S½ Sec. 2; SE¼ Sec. 3; NE¼ NE¼ Sec. 10; N½ N½, Lots 1 through 8, and Lots 10 through 12, Sec. 11; SW¼, S½ NW¼, NW¼ NW¼ Sec. 12; NW¼ NW¼ Sec. 13; N½ NE¼ Sec. 14; all in T.40N., R.27E., M.D.B.&M., containing 1,600 acres more or less. (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about January 1st. (Month and Day) and end about December 31st. (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.) Drilled well, turbine pump w/electric motor and irrigation distribution system. (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 Complete

10. Estimated time required to construct works Complete, see Well Log filed under Permit 33043
If well completed, describe works.

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

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

This application is filed to replace Permit No. 45491, which was cancelled December 6, 1990 for failure to file Proof of Beneficial Use Application map filed under Permit No. 45488

By G. W. Reno - Agent
s/G. W. Reno
315 Vine Street, Box A
Fernley, NV. 89408

Compared bc/bc

Protested

DENIAL 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 application is hereby denied on the grounds its issuance would threaten to prove detrimental to the public interest.

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 before

Application of water to beneficial use shall be filed 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, HUGH RICCI, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 28th day of June, A.D. 2004.

Hugh Ricci, P.E.
State Engineer