AMENDED

No. 59768

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

Date of filing in State Engineer's Office FEB 15 1994

Returned to applicant for correction

Corrected application filed MAY 20 1994

Map filed MAY 24 1994 Under 59767

The applicant USDI - Bureau of Land Management

HC 33 Box 33500 (Street and No. or P.O. Box No.), of Ely (City or Town),

Nevada 89301-9408 (State and Zip Code No.), hereby make S 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 Shoshone Well #3 (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 0.016 (One second-foot equals 448.83 gals. per min.) second-feet

   (a) If stored in reservoir give number of acre-feet 0.023 acre-feet

3. The water to be used for livestock and wildlife (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 305 cows, 155 deer and 10 antelope

   (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 Lot 8, Section 2, T12N,R67E, M.D.B. & M. or at a point from which the SE corner of said Section 2 bears S 22° 42' 23" E a distance of 4784.9 feet. (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 Lots 5,6,7, and 8, Section 2, T12N, R67E, M.D.B. & M. (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about January 1 (Month and Day) and end about December 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 - Free flowing to ground surface (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 #1000.00

10. Estimated time required to construct works Well is in existence - Drilled by CCC
If well completed, describe works.
crews in the 1930's.

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

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

There is approximately ¼ of an acre of riparian habitat dependent upon the continuing flow from the well.

By s/Kenneth G. Walker
HC 33 Box 33500
Ely, NV 89301
(702) 289-4865

Compared do/jv

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 under the provisions of NRS § 533.503.

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 26th day of February, A.D. 2004.

Hugh Ricci, P.E.
State Engineer

(O)-2145 (Rev. 9-89)