

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

Date of filing in State Engineer's Office JUN 23 1994
 Returned to applicant for correction _____
 Corrected application filed _____
 Map filed JUN 23 1994

The applicant **McClintick Farms, Inc.**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **surface water (tail water from existing farming operations)**.
2. The amount of water applied for is **2.0 cfs** 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 **240 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 NE¼SE¼ of Section 29, T.43N., R.37E., M.D.B.&M., or at a point from which the SE corner of said Section 29 bears S 01°13'00" E a distance of 1,319.0 feet.**
6. Place of Use **NE¼ and E¼NW¼ of Section 29, T.43N., R.37E., M.D.B.&M. 240 acres ±**
7. Use will begin about **January 1st** and end about **December 31st** of each year.
8. Description of proposed works **pipeline & ditch system**
9. Estimated cost of works **in excess of \$1,000**
10. Estimated time required to construct works **1 year**
11. Estimated time required to complete the application of water to beneficial use **3 years**
12. Remarks: **The source of water for this application comes from farming operations that are situated above the applicants property.**

Desert Mountain Surveying as agent
 By John H. Milton, III, PLS, SWRS
 By s/John H. Milton III
 146 W. Second St.
 Winnemucca, NV 89445

Compared dl/cmf dl/cmf

Protested 10/10/94 by Don L. & Jodi S. Jacaway; Pro. Overruled
 1/4/96 Ruling
 No. 4280

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.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The issuance of this permit is subject to the terms of the agreement between McClintick Farms Inc. and Jodi S. Jacaway entered into on June 16, 1999, on file in the State Engineer's Office under Permit 60151.

This permit is issued with the understanding that tailwater is diverted only when it is available.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 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.

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

September 14, 2000

Proof of completion of work shall be filed before:
October 14, 2000

Water must be placed to beneficial use on or before:
September 14, 2002

Proof of the application of water to beneficial use shall be filed on or before:
October 14, 2002

Map in support of proof of beneficial use shall be filed on or before:
October 14, 2002

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 14th day of September, A.D. 1999


State Engineer

Completion of work filed NOV 09 2000

Proof of beneficial use filed NOV 09 2000

Cultural map filed _____

Certificate No. _____ Issued _____