

AMENDED

No. 61046

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

Date of filing in State Engineer's Office MAR 15 1995

Returned to applicant for correction MAY 03 1995

Corrected application filed

Map filed MAY 25 1995

The applicant Terry G. & Sandra L. Burt

P.O. Box 2825, of Elko, Nevada 89803

Street and No. or P.O. Box No. City or Town 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 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 Quasi-Municipal 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

(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 NE 1/4 of Section 24, T 33 N, R 57 E, MDB&M., at a point from which the East 1/4 corner of said Section 24 survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated. bears S 28° 41' 47"E, 1617.37 feet.

6. Place of use Portions of the NE 1/4 of Section 24, T 33 N, R 57 E, MDB&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.) Drilled well & Pipelines to two residences 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.....3 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:
The waters applied for under this application are to be used for two (2)
single family residences.....

By.....HIGH DESERT Engineering, Agent
 s/Robert E. Morley.....
 640 Idaho Street
 Elko, NV 89803

Compared.....cl/nsr..... cl/cms.....

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 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. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

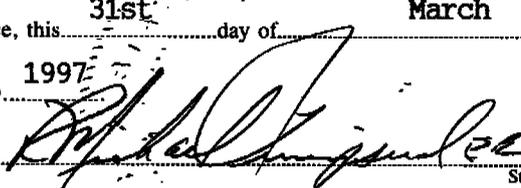
This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

The amount of water to be appropriated 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 2.24 acre-feet annually.

- Work must be prosecuted with reasonable diligence and be completed on or before..... March 31, 1999
- Proof of completion of work shall be filed before..... April 30, 1999
- Application of water to beneficial use shall be filed on or before..... March 31, 2002
- Proof of the application of water to beneficial use shall be filed on or before..... April 30, 2002
- Map in support of proof of beneficial use shall be filed on or before..... N/A

Completion of work filed.....MAY 11 1999.....
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....

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 31st day of March
 1997

 A.D. State Engineer