

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

Date of filing in State Engineer's Office JAN 26 2000

Returned to applicant for correction FEB 15 2000

Corrected application filed APR 14 2000

Map filed APR 17 2000

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The applicant **Nevada Land & Resource Company, LLC**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **10.0 c.f.s.** 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 **1280 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 **SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 3, T.23N., R.25E., MDM or at a point from which the NW corner of said Section 3, T.23N., R.25E., MDM, bears N 06° 31' W, a distance of 5427 feet. Located within Fireball Valley. Irrigation will be limited to 1280 acres within the Proposed Place of Use.**
6. Place of Use **All of Sections 3 and 11, T.23N., R.25E., MDM.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled well, pump & motor, and Irrigation distribution system**
9. Estimated cost of works **\$100,000**
10. Estimated time required to construct works **5 years**

11. Estimated time required to complete the application of water to beneficial use **10 years**

12. Remarks:

By **for Dorothy A. Timian-Palmer, P.E.; Chief Operating Officer**  
**s/David A. Merrill**  
**3264 Goni Road, Suite 153**  
**Carson City, NV 89706**

Compared my/gkl lb/ cmf

Protested \_\_\_\_\_

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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. 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 at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. 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.

This permit is limited to the irrigation of 40 acres within the described place of use.

Any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

(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 0.675 cubic feet per second, but not to exceed 160 acre-feet per year, 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:

March 19, 2005

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

April 19, 2005

Water must be placed to beneficial use on or before:

March 19, 2008

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

April 19, 2008

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

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this 19th day of March, A.D. 2003

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

