

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

Date of filing in State Engineer's Office JAN 22 2002
Returned to applicant for correction FEB 06 2002
Corrected application filed FEB 15 2002
Map filed FEB 15 2002

The applicant **HT Cabins L.L.C.** 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 **Underground**
2. The amount of water applied for is **0.012** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Commercial**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated $\frac{1}{4}$ **Acre±**
 - (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 **Well is located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, T6S, R61E, M.D.B.&M. More specifically N 60° 21'22" E, 2383.8 feet from the SW corner of Section 29, T6S, R61E, M.D.B.&M.**
6. Place of Use **Parcel 4, containing 5.0 acres as described in the "subsequent parcel map for Dennis T & Geraldine Perkins" filed with the Lincoln County Recorder on June 28, 2001 (see included map). Book Plat B Page 376, Instrument No. 116554. Located in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 29, T6S, R61E, M.D.B.&M.**
7. Use will begin about **Jan. 1st** and end about **Dec. 31st** of each year.
8. Description of proposed works **Drilled well with pump and motor, small hydro-system**
9. Estimated cost of works **60K**
10. Estimated time required to construct works **Within 1 years time**
11. Estimated time required to complete the application of water to beneficial use **2 years**

68412

- 12. Remarks: (8) bedroom cabin units
- (1) restaurant
- (1) gift shop
- (1) Laundry facility

Russ Applegate
 By s/Russ Applegate
 36 N. 300 W./P.O. Box 3174
 Cedar City, Utah 84721-3174

Compared my/ cam dr/cmf

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 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.

(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 0.012 cubic feet per second, but not to exceed 1.21 million gallons annually.

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

August 9, 2003

Proof of completion of work shall be filed before:

September 9, 2003

Water must be placed to beneficial use on or before:

August 9, 2005

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

September 9, 2005

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 9th day of August, A.D. 2002


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____ N/A _____

Certificate No. _____ Issued _____