

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

Date of filing in State Engineer's Office APR 22 2002

Returned to applicant for correction

Corrected application filed

Map filed APR 22 2002

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The applicant Miller Investments hereby makes 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 **.0155 cfs** second-feet
  - (a) If stored in reservoir give number of acre-feet
- 3. The water to be used for **stockwater 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 **500 head of cattle**
  - (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 SW¼ NE¼ of Section 24, T.41N., R.39E., MDB&M or at a point from which the NW corner of said Section 24 bears N 67°39' W 3822 feet**
- 6. Place of Use **SW¼ NE¼ of Section 24, T.41N., R.39E., MDB&M**
- 7. Use will begin about **January 1** and end about **December 31** of each year.
- 8. Description of proposed works **drilled well, pipeline, and watering trough**
- 9. Estimated cost of works **\$8,000±**
- 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:

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

Compared cmf/ cam lb/bk

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 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 period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. 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 but does not take responsibility for the use of the Federal range.

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

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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 issued under the provisions of NRS 534.120(2) as a preferred use.

(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 0.0155 cubic feet per second, or sufficient to water 500 head of cattle.

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

December 3, 2003

Proof of completion of work shall be filed before:

January 3, 2004

Water must be placed to beneficial use on or before:

December 3, 2005

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

January 3, 2006

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 3rd day of December, A.D. 2002

  
State Engineer

Completion of work filed JAN 28 2004

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

Cultural map filed N/A

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