

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

Date of filing in State Engineer's Office DEC 09 2002

Returned to applicant for correction JAN 16 2003

Corrected application filed _____

Map filed JAN 24 2003 under 69373

The applicant **Duilio P. Bottari Family Trust** hereby makes 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 **0.05cfs**
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used **stock watering**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kind of animals to be watered **400 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 **SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T. 33N., R. 57E., M.D.M. from which the SE corner of said section bears S.38°30' E., 255 feet distant.**
6. Place of Use **Lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$ Section 1, E $\frac{1}{2}$ E $\frac{1}{2}$ Section 12, T. 33N., R. 57E. and S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 36, T. 34N., R. 57E.; and SW $\frac{1}{4}$ Section 31, T. 34N., R. 58E. and Lots 4 and 5 of Section 6, T. 33N., R. 58E., M.D.M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled and cased well, submersible pump with electric motor, pressure tank, approximately 1 $\frac{1}{2}$ miles of buried 1 $\frac{1}{2}$ " plastic pipe to stock tanks**
9. Estimated cost of works \$ **20,000.00**
10. Estimated time required to construct works **three years**
11. Estimated time required to complete the application of water to beneficial use **five years**

12. Remarks: Point of diversion and proposed place of use on land owned by applicant.

By s/William A. Nisbet Agent
421 Court Street
Elko, NV 89801

Compared sg/sam lb/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 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 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, **but not to exceed 0.0125 cubic feet per second or sufficient to water 400 head of cattle.**

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

July 2, 2005

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

August 2, 2005

Water must be placed to beneficial use on or before:

July 2, 2008

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

August 2, 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 **2nd** day of **July**, A.D. **2003**


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed **N/A** _____

Certificate No. _____ Issued _____