

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 18 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 18 2003 UNDER 69873

The applicant Baker Ranches, Inc. hereby make application for permission to change the place of use & manner of use of a portion of water heretofore appropriated under Permit No. 45502

1. The source of water is **Underground**
2. The amount of water to be changed **0.02 cfs**
3. The water to be used for **Stock Watering for 500 cattle and horses**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point in the **SE¼ NE¼ of Section 4, T. 13 N., R. 70 E., M.D.B. & M., whence the Northeast Corner of said Section 4 bears N. 25° 14' 26" E., 1,547.77 feet distant.**
6. The existing permitted point of diversion is located within the **SE¼ NE¼ of Section 4, T. 13 N., R. 70 E., M.D.B. & M., whence the Northeast Corner of said Section 4 bears N. 25° 14' 26" E., 1,547.77 feet distant.**
7. Proposed place of use **SE¼ NE¼ of Section 4, T. 13 N., R. 70 E., M.D.B. & M.**
8. Existing place of use **W½ NW¼ of Section 3; NE¼, E½ NW¼ of Section 4; S½ NE¼, W½ SE¼, NE¼ SE¼, E½ SW¼ and SW¼ SW¼ of Section 12, T. 13 N., R. 70 E., M.D.B. & M.; and Lots 1, 2, 3, and 4, W½ NW¼, NW¼ SW¼ Section 7, T. 13 N., R. 71 E., M.D.B. & M.**
9. Use will be from **January 1st to December 31st** of each year.
10. Use was permitted from **January 1st to December 31st** of each year.
11. Description of proposed works **Drill well, install casing, pump, motor and troughs.**
12. Estimated cost of works **\$50,000.00**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks:

By **s/Dean Neubauer**
824 East Aultman Street
Ely, NV 89301

Compared hmw/cm f ag/cm f

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 to change the place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 45502 is issued subject to the terms and conditions imposed in said Permit 45502 and with the understanding that no other rights on the source will be affected by the change proposed herein. 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 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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0156 cubic feet per second, OR sufficient to water 500 head of cattle or horses.

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

October 15, 2004

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

November 15, 2004

Water must be placed to beneficial use on or before:

October 15, 2005

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

November 15, 2005

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

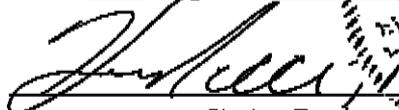
N/A

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

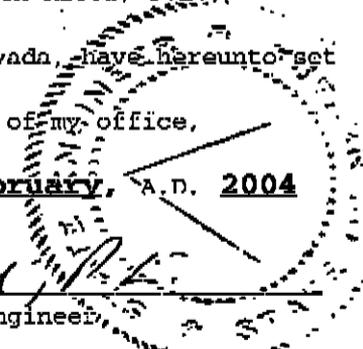
State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 3rd day of February, A.D. 2004



State Engineer



Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____