

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

Date of filing in State Engineer's Office JUN 09 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed APRIL 01 1982 UNDER 44746

The applicant **3F LLC.** 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 **.1 second-feet**
 - (a) If stored in reservoir give number of acre-feet
- 3. The water to be used for **stockwater**
- 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 **450 head 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 NE¼ of the SW¼ Section 30, T19N, R49E, M.D.M. or from a point from the SE corner of Section 24, T19N, R48E, M.D.M bears S 60° 11' 15" W a distance of 2094.2 feet.**
- 6. Place of Use **within the SE¼ of the NW¼, Section 30, T19N, R49E, M.D.M.**
- 7. Use will begin about **January 1** and end about **December 31** of each year.
- 8. Description of proposed works **Well, pump jack, storage tank and two troughs**
- 9. Estimated cost of works
- 10. Estimated time required to construct works **existing**
- 11. Estimated time required to complete the application of water to beneficial use **existing use.**
- 12. Remarks: **450 head cattle use map on file under App. 44746**

By **Thomas E. Fitzwater**
s/Thomas E. Fitzwater
4198 S. 5500 W
Hooper Ut. 84315

Compared hmf/cmf lt/ gkl

Protested 8/27/03 by U.S. Bureau of Land Management;
Protest Overruled 3-8-06 see #5571

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.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

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 changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.014 cubic feet per second, sufficient to water 450 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:
April 12, 2007

Proof of completion of work shall be filed on or before:
May 12, 2007

Water must be placed to beneficial use on or before:
April 12, 2008

Proof of the application of water to beneficial use shall be filed on or before:
May 12, 2008

Map in support of proof of beneficial use shall be filed on or before:
May 12, 2008

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

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

this 12th day of April, A.D. 2006



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____