

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

Date of filing in State Engineer's Office MAY 18 2004

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed MAY 18 2004

\*\*\*\*\*

The applicant **Tripple Aught Foundation** hereby make(s) application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

\*\*\*\*\*

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **1.0** second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Industrial**
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
  - (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 NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of Section 15, T.2N., R.58E., M.D.B.&M., or at a point from which the NE corner of Section 15, T.2N., R.58E., M.D.B.&M., bears N. 36°53'50" E., 3,349.33 feet distant.**
6. Place of Use **The SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> and S<sup>1</sup>/<sub>2</sub> NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Section 14, and the NW<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub>, NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> and SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> in Section 15, T.2N., R.58E., M.D.B.&M.**
7. Use will begin about **January 1st** and end about **December 31st** of each year.
8. Description of proposed works **A well will be drilled and the water pumped into a storage tank or truck tanks.**
9. Estimated cost of works is **\$20,000.00**
10. Estimated time required to construct works **2 years**
11. Estimated time required to complete the application of water to beneficial use **6 years**
12. Remarks: **The water will be used for construction and maintenance of a large earth moving project. The water will also be used for batching concrete and dust and weed control. We are requesting 1.0 cfs to be used 365 days a year at an annual consumptive use of 2.0 Million Gallons.**

s/Dean Neubauer  
By **Dean Neubauer, P.L.S.**  
824 East Aultman Street  
Ely, Nevada 89301

Compared cmf/sam lt/gkl  
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 source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on February 15th of each year.

The amount of water to be appropriated shall be limited to the amount that can be applied to beneficial use, and not to exceed 1.0 cubic foot per second, with an annual duty not to exceed 3.740 mga. This annual duty of water will be reduced to 1.55 mga ten years from the date that the permit is issued.

The water right granted under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.  
(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 1.0 cubic feet per second, or not to exceed 3.74 million gallons annually (reduced to 1.55 million gallons annually after 10 years).

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

November 15, 2007

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

December 15, 2007

Water must be placed to beneficial use on or before:

November 15, 2011

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

December 15, 2011

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 15th day of November A.D. 2005

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

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

Cultural map filed N/A \_\_\_\_\_

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