

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

Date of filing in State Engineer's Office MAY 24 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 24 2004

The applicant **BERNIE KOENIG** 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 SOURCE**
2. The amount of water applied for is **2.02 AFA, .4040AC'S, .004 CFS** second feet.
 - (a) If stored in reservoir give number of acre-feet -
3. The water to be used for **COMMERCIAL USE**
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 -
 - (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 OF THE SW¼ OF SECTION 11, T.21S., R.53E., M.D.B.&M., NYE COUNTY, NEVADA FROM WHICH THE SW CORNER OF SAID SECTION 11 BEARS S 64°18'21" W A DISTANCE OF 701.29 FEET.**
6. Place of Use **BEING THE E½ OF THE SE¼ OF THE SW¼ OF THE SW¼ OF SECTION 11, T.21S., R.53E., M.D.B.&M., NYE COUNTY, NEVADA EXCEPTING THE SOUTH 40.00 FEET FOR A NYE COUNTY ROAD EASEMENT. THE PLACE OF USE IS ALSO KNOWN AS THE E½ OF A.P.N.# 44-362-16 (TO BE PARCEL'D)**
7. Use will begin about **JAN. 1ST** and end about **DEC. 31ST** of each year.
8. Description of proposed works **EXISTING 8" CASING, SUBMERABLE PUMP, PRESURE TANK, DISTRIBUTION SYSTEM AND PROPOSED WATER STORAGE TANK FOR FIRE PROTECTION.**
9. Estimated cost of works **\$5,000**
10. Estimated time required to construct works **2 YEAR, EXISTING WELL ETC, STORAGE TANK TO BE PLACED**
11. Estimated time required to complete the application of water to beneficial use **5 YEARS**

12. Remarks: **THIS PROPOSED COMMERCIAL WATER SYSTEM WILL PROVIDE SERVICE TO ONE (1) EXISTING 1000 S.F. RENTAL HOUSE, ONE (1) FUTURE 4000 S.F. BUILDING FOR AN EXISTING CARPET BUSINESS, (PRESENTLY OCCUPING AN EXISTING 1100 S.F. MOBILE HOME TO BE REMOVED), A LARGE STORAGE TANK FOR FIRE PROTECTION AND LANDSCAPING.**

**By RONNIE M. PHILLIPS AGENT
s/Ronnie M. Phillips
1191 W. BETTY AVE.
PAHRUMP, NEVADA 89060**

Compared sg/ sam ag/ sam _____

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.

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

Permit 71245 is granted to provide commercial water service to a portion of one lot described as Nye County Assessor's Parcel Number (APN) 44-362-16.

Upon cessation of pumping for commercial purposes at this place of use, water under this permit shall return to the source and no application to change or relinquishment will be allowed.

(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 0.004 cubic feet per second, **but not to exceed 2.0 acre-feet annually.**

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

December 2, 2005

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

January 2, 2006

Water must be placed to beneficial use on or before:

December 2, 2009

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

January 2, 2010

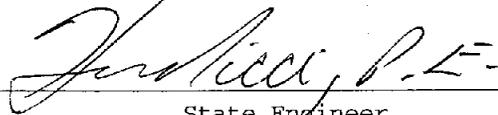
Map in support of proof of beneficial use shall be filed on or before:

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 **December**, A.D. **2004**



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____