

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 JUN 14 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUN 21 1944 under 9327

The applicant **USDA Forest Service** hereby make application for permission to change the **manner of use & place of use** of water heretofore appropriated under **Permit #58585**

1. The source of water is **Surprise Spring**
2. The amount of water to be changed **.5 CFS (NTE 93.5 AFA between 58585 & 58584)**
3. The water to be used for **public recreation & wildlife**
4. The water heretofore permitted for **quasi-municipal**
5. The water is to be diverted at the following point **in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 12, T19S, R56E, MDB&M or at a point from which the SE corner of said Sec. 12 bears S 12° 32' E, 852 feet**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **SE SE, Sec 12, T19S, R56E, MDB&M; & SW SW, SE SW, Sec. 7, T19S, R57E, MDB&M**
8. Existing place of use **The S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 7, T19S, R57E, MDB&M; E $\frac{1}{2}$, Sec. 12, T19S, R56E, MDB&M**
9. Use will be from **01/01 to 12/31** of each year.
10. Use was permitted from **01/01 to 12/31** of each year.
11. Description of proposed works **N/A**
12. Estimated cost of works **N/A**
13. Estimated time required to construct works **N/A**
14. Estimated time required to complete the application of water to beneficial use

15. Remarks: This area is used by recreationists for hiking, camping, & sightseeing. The springs & creek are prime habitat to over two dozen animals & plants endemic only to the spring mountains area.

By **Robert K. Vaught**
 s/ **Robert K. Vaught**
1200 Franklin Way
Sparks, NV 89431

Compared aem/gkl dl/ 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 to change the place and manner of use of the waters of Surprise Spring as heretofore granted under Permit 58585 is issued subject to the terms and conditions imposed in said Permit 58585 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 71321 and 71322 shall not exceed 93.53 acre-feet annually.

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 0.5 cubic feet per second, 93.53 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:
March 6, 2007

Proof of completion of work shall be filed on or before:
April 6, 2007

Water must be placed to beneficial use on or before:
March 6, 2008

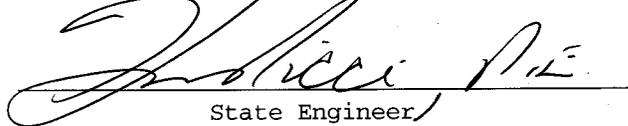
Proof of the application of water to beneficial use shall be filed on or before:
April 6, 2008

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 6th day of March, A.D. 2006


State Engineer,

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____ N/A _____

Certificate No. _____ Issued _____