No. 73397

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

Date of filing in State Engineer's Office **OCT 27 2005**

Returned to applicant for correction

Corrected application filed

Map filed **OCT 27 2005 under 73395**

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The applicant **Julian Tomera Ranches (Stonehouse Division), Thomas J. or Patsy S.** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Underground**

2. The amount of water applied for is **0.0217 cfs** 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 **700 head of 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 **Rain Mine – RPW 3 within the SE¼ SE¼, Section 4, T31 N, R54 E, M.D.M., at a point from which the SE corner of said Section 04 bears S 35°18'10" E a distance of 554 feet.**

6. Place of Use **E½, Section 01, T31N, R53E; all Sections 06 and 07, T31N, R54E; all Sections 29, 30, 31, and 32, T32N, R54E, M.D.M.**

7. Use will begin about **January 1** and end about **December 31** of each year.

8. Description of proposed works **Drilled, cased well with motor and pump, totalizing flow meter, and pipeline to the place of use.**

9. Estimated cost of works **$1,000 (one thousand dollars)**

10. Estimated time required to construct works **two years**

11. Estimated time required to complete the application of water to beneficial use **five years**

12. Remarks:

By **Scott Paine, Water Rights Administrator**
s/ Scott Paine
Environmental Department, PO Box 669
Carlin, Nevada 89822

Compared **bk/sam** bcm/ **gkl**

Protested _____

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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.

The total combined duty of water under Permits 73395, 73396, and 73397 shall not exceed 0.0217 cfs or sufficient to water 700 head of Cattle.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

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(PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount, which can be applied to beneficial use, and not to exceed **0.0217** cubic feet per second, **or sufficient to water 700 head of cattle.**

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

April 21, 2008

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

May 21, 2008

Water must be placed to beneficial use on or before:

April 21, 2010

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

May 21, 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 **21st** day of **April**, A.D. **2006**

Hugh Ricci, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____