



THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of applicant: ELKO LAND & LIVESTOCK CO.
Source: SPRING
Basin: BOULDER FLAT
Manner of Use: STOCKWATERING
Period of Use: March 1st to November 1st
Priority Date: 06/16/2006

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. 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.

This permit is subject to the condition that the permittee must ensure that wildlife which has 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.

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount that can be applied to beneficial use, **and not to exceed 0.10 cubic feet per second or sufficient to water 700 cattle seasonally.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

January 22, 2010

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

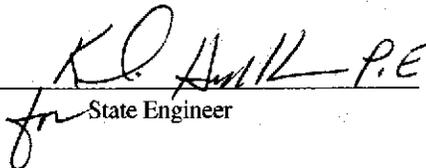
January 22, 2011

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

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of January, A.D. 2009



for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

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

Date of filing in State Engineer's Office JUN 16 2006

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUN 16 2006

The applicant **Elko Land & Livestock** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. **incorporated Nevada, 1978**

1. The source of the proposed appropriation is **Badger Spring**
2. The amount of water applied for is **0.1** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **stock watering**
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 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 **SE¼ SE¼, Sec. 21, T.34N., R.50E., M.D.M. from which the SE corner of said Sec. 21 bears S.64°52'E., 935 feet distant.**
6. Place of Use **SE¼SE¼, Sec.21, T.34N., R.50E., M.D.M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works (existing) **perforated 3 ft. diamter CMP culvert with secure lid placed over fenced spring souce, pipeline 200 ft. downhill to dirt pond and to metal stockwater tank, with float valve.**
9. Estimated cost of works **\$1,000.00**
10. Estimated time required to construct works **completed at an unknown year.**
11. Estimated time required to complete the application of water to beneficial use **two years.**

74364

12. Remarks: Point of diversion and place of use on fee land owned by applicant. Please send notices and correspondence to the undersigned agent.

By s/ William A. Nisbet Agent
421 Court Street
Elko, NV 89801

Compared mt/ _____

Protested _____
