



THE STATE OF NEVADA
APPLICATION TO APPROPRIATE WATER

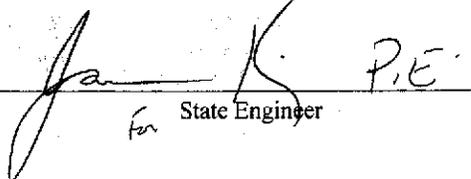
Name of applicant: **KELLOGG & WOYWOD, INC.**
Source: **SECOND CREEK**
Basin: **STEPTOE VALLEY**
Manner of Use: **IRRIGATION AND DOMESTIC**
Period of Use: **January 1st to December 31st**
Priority Date: **04/08/2008**

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that the Applicant has not submitted the information requested by the State Engineer's Office, and that without this information granting of the application would threaten to prove detrimental to the public interest.

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this **15th** day of **April**, A.D. **2010**


for State Engineer

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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office APR 08 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAY 27, 1975 under 29390

The applicant Kellogg & Woywod, Inc.

501 Aultman Street of Ely

Street Address or P.O. Box

City or Town

Nevada 89301 hereby make(s) application for permission to appropriate

State and Zip Code

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.)

Kellogg & Woywod, Inc. incorporated on 10/15/1993 in the State of Nevada

1. The source of water is Second Creek
Name of stream, lake, underground, spring or other sources
2. The amount of water applied for is 2 cfs second feet.
One second foot equals 448.83 gallons per minute
(a) If stored in reservoir give number of acre-feet _____
3. The water to be used for Irrigation and Domestic
Irrigation, power, mining, commercial, domestic or other use Must limit to one major use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated 160 acres
 - (b) Stockwater, state number and kind of animals _____
 - (c) Other use (describe fully in No. 12) _____
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____

179-147

5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.) which MS
SE 1/4 SE 1/4 Section 24, T. 20N, R. 64 E, MDB&M or at a point from the SE corner of said Section 24 bears S, 38° 20' 00" E., 462.75 feet.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)
N 1/2 NW 1/4 Section 24; N 1/2 NE 1/4 Section 23; all in T. 20N, R. 64E, MDB&M

7. Use will begin about January 1 and end about December 31 of each year.
Month and Day Month and Day
8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)
completed ditches
9. Estimated cost of works: N/A
10. Estimated time required to construct works: N/A
(If well completed, describe works.)
11. Estimated time required to complete the application of water to beneficial use: 5 years
12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary).
(Failure to provide a detailed description may cause a delay in processing.)
Refer to map already on file under Permit 29390.

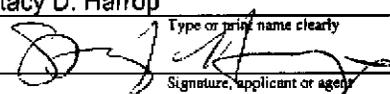
13. Miscellaneous remarks:
This application is to replace permit 32117, which was cancelled for failure to file proof of beneficial use and cultural map. Permit 32117 was in turn filed to replace Permit 29390, which was cancelled for failure to file proof of commencement.

2009 APR -3 11:12:05
 STATE OF NEVADA

sharrop@nevadafirm.com
E-mail Address

702-791-0308
Phone No

By Stacy D. Harrop
Type or print name clearly


Signature, applicant or agent

Santoro, Driggs, Waich
Company Name

400 S. 4th Street, 3rd Floor
Street Address or P.O. Box

Las Vegas, NV 89101
City, State, Zip Code

APPLICATION MUST BE SIGNED
 BY THE APPLICANT OR AGENT

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Revised 11-07

Protested: June 11, 2008, by USDI, Bureau of Land Management