Permit No. 77489

THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of applicant:	**HAPPY CREEK, INC.**
Source:	**UNDERGROUND**
Basin:	**PINE FOREST VALLEY**
Manner of Use:	**STOCKWATERING**
Period of Use:	**January 1st to December 31st**
Priority Date:	**10/14/2008**

****

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.

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.

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 which can be applied to beneficial use, **and not to exceed 0.0156 cubic feet per second or sufficient to water 500 head of cattle, but not to exceed 11.2 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **February 24, 2010**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **February 24, 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 24th day of **February**, A.D. **2009**

for K. Hall P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Application No. 77489

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 OCT 1 4 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed OCT 1 7 2008 under 60059

The applicant Happy Creek, Inc.

5716 South Bemis Street (Street Address or P.O. Box) of Littleton (City or Town)

Colorado, 80120 (State and Zip Code) hereby make(s) application for permission to appropriate 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.)

A Nevada Corporation, dated of incorporation June 3rd, 1991.

1. The source of water is Underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water applied for is .0156 cfs (One second foot equals 448.83 gallons per minute.) second feet.
   (a) If stored in reservoir give number of acre-feet _____
3. The water to be used for Stockwater (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 _____
   (b) Stockwater, state number and kind of animals 500 head of cattle
   (c) Other use (describe fully in No. 12) _____
   (d) Power:
      (1) Horsepower developed _____
      (2) Point of return of water to stream _____

29-HU

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.)
within the SE1/4 NE1/4 of Section 2, T.41N.,R.32E., M.D.B.&M., or at a point from which the NE corner of said Section 2, bears N29° 08' 07" E 2556.53 feet.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)
within the SE1/4 NE1/4 of Section 2, T.41N.,R.32E., M.D.B.&M.

7. Use will begin about January 1st (Month and Day) and end about December 31st (Month and Day) of each year.

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.)
An existing 16" cased irrigation well, submersible pump and water trough.

9. Estimated cost of works: $5000.00±

10. Estimated time required to construct works: 1 year, well is complete, see well log 9286
(If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 2 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.)
This is an existing irrigation well (permits 60061, 60063 & 60066) that was re-drilled 110 feet South from this point (see well log 99224Ø). Applicant proposes to place a submersible pump in the well and pump water to a trough.

JSD
10/20/08

13. Miscellaneous remarks:
Please use PBU map filed for Permits 60061, 60063 & 60066 to support this map.

dms@winnemucca.net
E-mail Address

775-623-4414
Phone No.

By

John H. Milton III (agent)
Type or print name clearly

Signature, applicant or agent

Desert Mountain Surveying
Company Name

146 West Second Street
Street Address or P.O. Box

Winnemucca, Nevada, 89445
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