Application No. 78368

THE STATE OF NEVADA

APPLICATION TO APPROPRIATE WATER

Name of applicant:	**HONKER RANCH INC**
Source:	**SPRING**
Basin:	**SMITH VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**04/23/2009**

****

DENIAL OF STATE ENGINEER

The protests to this application are upheld in part and this application is denied on the grounds that there is no unappropriated water available at the source, its approval would adversely impact existing water rights and would threaten to prove detrimental to the public interest. No ruling is made on the merits of the protests.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 29th day of September, A.D. 2010

P.E.

State Engineer

Application No. 78368

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 2 3 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAY 2 1 1979 under 28995

The applicant The Honker Ranch, Inc.

P.O. Box 2516 (Street Address or P.O. Box) of Reno (City or Town)

Nevada 89505 (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 filed 8/9/1954

1. The source of water is Nevada Hot Springs (formerly Hind Hot Springs) (Name of stream, lake, underground, spring or other sources.)
2. The amount of water applied for is 3.4 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 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 480 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 _____

107-LY

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 SW1/4 SE1/4 of Section 16, T12N, R23E, MDB&M, or at a point from which the N1/4 corner of said Section 16 bears N0°27'51"W a distance of 4303.36 feet. See map filed for Permit 28995.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)
40.29 ac in the SW¼ SW¼ of Section 1; 76.80 ac in the S½ SE¼ of Section 2; 40.70 ac in the NE¼ NE¼, 12.92 ac in the NW¼ NE¼, 32.26 ac in the SW¼ NE¼, 12.00 ac in the SE¼ NE¼, and 4.19 ac in the ~~SE¼ NE¼~~ SE¼ NW¼ ALB of Section 10; 79.84 ac in the N½ NE¼, 34.04 ac in the SW¼ NE¼, 39.55 ac in the SE¼ NE¼, 29.85 ac in the NE¼ NW¼, and 0.80 ac in the SW¼ NW¼ of Section 11, and 38.65 ac in the NW¼ NW¼ of Section 12; all in T12N, R23E, MDB&M, for a total of 480 acres. See PBU map filed for Permit 16689.
38.11 acres in NW¼ NW¼ Sec. 11 ALB

7. Use will begin about January 1 (Month and Day) and end about December 31 (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.)
Existing spring, pond and irrigation ditches. See map on file under 28995 and 16689 for ditch systems from the Point of Diversion to the Place of Use. See #12 for further description.

9. Estimated cost of works: $10,000.00

10. Estimated time required to construct works: 1 year
(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.)
Historically water from the proposed point of diversion has reached the place of use through existing drain channels and natural water courses. From the point of diversion, water is captured in an existing pond in the SW1/4 SE1/4 of Section 16, T12N, R23E, and flows out of the pond into a series unnamed drain ditches where the water is co-mingled with miscellaneous drainage water from the West Walker River, miscellaneous springs, seepage and natural run off. Said series of ditches converges at the North boundary line of Section 10, T12N, R23E, and then flows out of two ditches to the Place of Use.

13. Miscellaneous remarks:
This water to be co-mingled with Permits 16689, 16753, and 16754.

RECEIVED
2009 APR 23 AM 11:50
STATE ENGINEER'S OFFICE

E-mail Address

775-882-9900
Phone No.

Paul G. Taggart
Type or print name clearly

By Paul G. Taggart
Signature, applicant or agent

Taggart & Taggart, Ltd.
Company Name

108 N. Minnesota Street
Street Address or P.O. Box

Carson City, Nevada 89703
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