Permit No. 78485

THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of applicant:	**SUSAN KENNEDY**
Source:	**SPRING**
Basin:	**DIXIE CREEK-TENMILE CREEK AREA**
Manner of Use:	**STOCKWATERING**
Period of Use:	**January 1st to December 31st**
Priority Date:	**05/11/2009**

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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. 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.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.0022 cubic feet per second or sufficient to water 70 cattle or 1.57 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **November 12, 2010**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **November 12, 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 12th day of **November,** A.D. **2009**

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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AMENDED Application No. 78485

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 MAY 11, 2009

Returned to applicant for correction MAY 19, 2009

Corrected application filed MAY 2 6 2009 Map filed MAY 1 1 2009 under 78484

The applicant Susan Kennedy

P.O. Box 281267 of Lamoille
Street Address Or P.O. Box City or Town

Nevada, 89828 hereby make(s) application for permission to appropriate
State and Zip code No.

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.)

1. The source of water is an unnamed spring
Name of stream, lake, underground, spring or other sources

2. The amount of water applied for is 0.0022 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 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 70 head of cattle

(c) Other use (describe fully in No. 12)

(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: (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.)

NE1/4 SW1/4 of Section 9, T.33 N., R.57 E., M.D.B. & M., at a point from which the West 1/4 Corner of said Section 9 bears N 81° 16' 50" W, 2184.02 feet.

6. Place of use (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

Portions of the N1/2, NE1/4 SW1/4, NW1/4 SE1/4 of Section 9, T.33 N., R.57 E., M.D.B.& M. Being a portion of Parcel No. 4, as shown on the Boundary Line Adjustment, Record of Survey Map for Hog Tommy hills, LLC and Lance D. Vezane and Amy S. Vezane, on file in Office of the Elko County Recorder, Elko, Nevada, File No. 572158

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.)

Improved spring, pipelines and stock troughs

9. Estimated cost of works: $10,000

10. Estimated time required to construct works: 3 years (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.)

Improve the spring with pipelines and stock troughs to water 70 head of cattle within the proposed place of use.

13. Miscellaneous remarks:

2009 MAY 26 AM 11:33
STATE ENGINEER'S OFFICE

remorley@frontiernet.net
E-mail Address

Robert E. Morley
Type or print name clearly

By Robert E. Morley
Signature, applicant or agent

(775) 738-4053
Phone No.

High Desert Engineering, LLC
Company Name

640 Idaho Street
Street Address or P.O. Box

Elko, Nevada 89801
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