



THE STATE OF NEVADA
APPLICATION TO APPROPRIATE WATER

Name of Applicant: FIRST CAPITAL TRUST, LLC
Source: UNDERGROUND
Basin: DIXIE CREEK-TENMILE CREEK AREA
Manner of Use: IRRIGATION
Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST
Priority Date: 07/09/2015

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that its approval is prohibited by State Engineer's Order No. 1120 and approval of the application would threaten to prove detrimental to the public interest.

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2nd day of December, 2015.

 P.E.

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 JUL 09 2015

Returned to applicant for correction _____

Corrected Application filed JUL 13 2015 Map filed Aug 8 1996 under 62365

First Capital Trust, LLC/Jack A. Sunseri Owner-Manager

The applicant _____
930 Tahoe Blvd. Suite 802-509 of Incline Village
Street Address or P.O. Box City or Town
Nevada 89451 hereby make(s) application for permission to appropriate the
State and ZIP Code

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.)

First Capital Trust, LLC, Jack A. Sunseri-Owner of a Single owned Limited Liability Company, registered in the State of Wyoming, which I Jack A. Sunseri is the only member. Filed as a limited liability company in Wyoming January 15, 2008.

1. The source of water is from the existing under ground well application number 62365.
Name of the stream, lake, underground, spring or other sources.
2. The amount of water applied for is 125 acre feet.
One acre foot equals 438.33 gallons per minute.
- (a) If stored in a reservoir give the number of acre-feet Not applicable
3. The water is to be used for irrigation
Irrigation, power, mining, commercial, domestic or other use. Must be limited to one major use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated 31 acres
 - (b) Stockwater, state number and kind of animals _____
 - (c) Other use (describe fully in No. 12) Domestic Residents
 - (d) Power:
 - (1) Horsepower developed Not Applicable
 - (2) Point of return of water to stream Not Applicable

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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.)

NW1/4 NW1/4

original
See Amended
Application
7-17-15
LMS

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

Within the area lying within the existing surveyor map attached application # 62365, Certification # 16649 of the Dixie Creek Humboldt, Ten Mile Basin 048, Elko County, Spring Creek, Nevada. Place of Use: within all of Sections 16 and 17 and portions of Sections 8, 9, and 18, Township 32 North, Range 56 East M.D.M. of the surveyed Map attached.

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 a pump and motor, etc.)

Diversion from existing drilled and cased underground well, with pump, motor and pipeline, under current Certification # 16649, and under the existing application number # 62365. Will be installing wheel line and flood ditching irrigation.

9. Estimated cost of works: \$9,000.00

10. Estimated time required to construct works: up to two years
(if the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: up to three 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 application is for a permit to appropriate the public waters of the State of Nevada, to develop ranch style property for the irrigation of crops and water for domestic residents.

13. Miscellaneous remarks:

This application is for the appropriate of irrigation using the existing well as identified in the existing application map number # 62365, Certification number # 16649.

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916-652-0649/ Cell-916-768-401
Phone No. Ext.

Jack A. Sunseri-Owner-Manager

Jack A. Sunseri
Type or print name clearly
Signature, applicant or agent

See attached
for Notarization

First Capital trust, LLC
Company Name
930 Tahoe Blvd. #802-509, Incline Village, Nevada 89451
Street Address or PO Box
City, State, ZIP Code

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT