



Permit No. 85506T

**TEMPORARY**  
**THE STATE OF NEVADA**

**PERMIT TO CHANGE THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

**Name of Permittee:** KINSLEY GOLD LLC  
**Source:** UNDERGROUND  
**Basin:** ANTELOPE VALLEY (WHITE PINE & ELKO)-SOUTHERN PART  
**Manner of Use:** STOCKWATERING  
**Period of Use:** ONE YEAR FROM DATE OF ISSUANCE.  
**Priority Date:** 09/27/2012

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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 temporary permit, to change the manner of use of a portion of the waters of an underground source as heretofore granted under Permit 82145, is issued subject to the terms and conditions imposed in said Permit 82145 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water herein granted at any and all times.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary 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, not to exceed 0.0347 cubic feet per second and 14.78 acre-feet annually, or sufficient to water 3,300 head of sheep.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

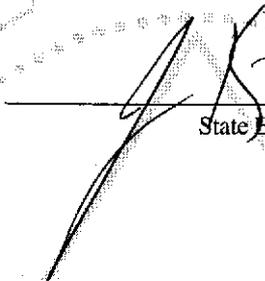
N/A

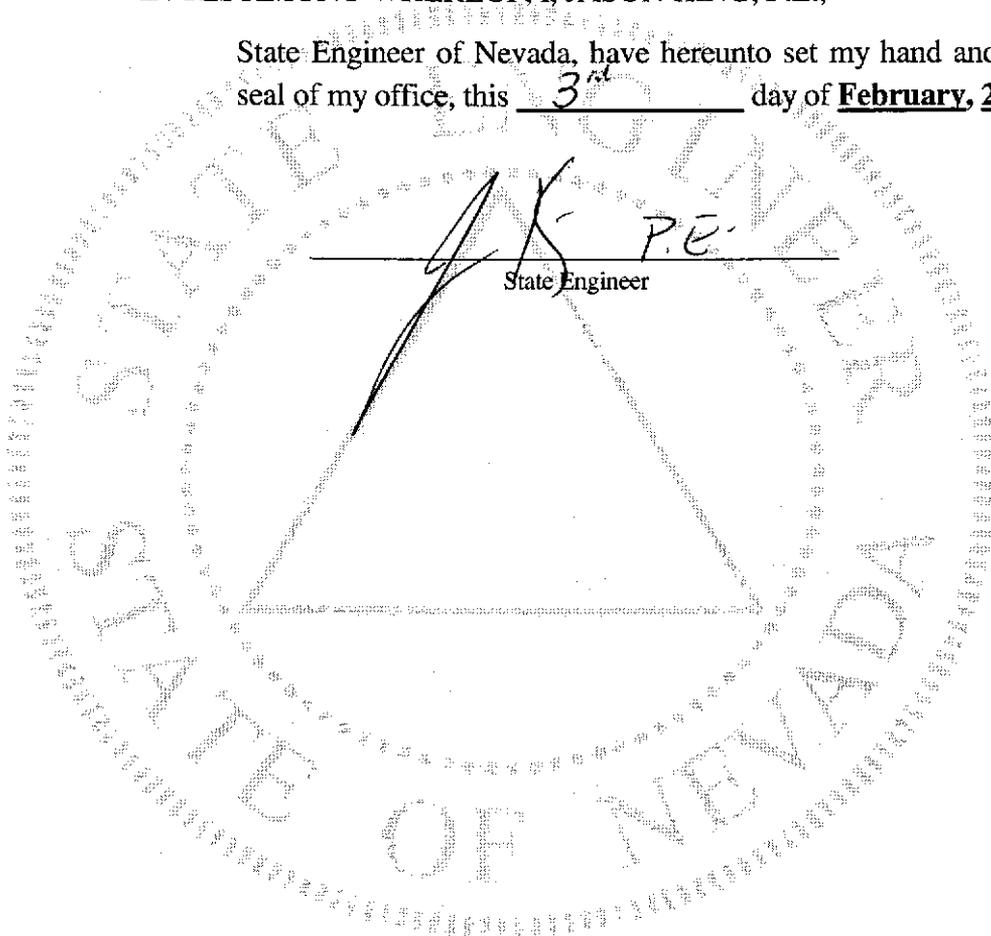
Map in support of proof of beneficial use shall be filed on or before:

N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 3<sup>rd</sup> day of February, 2016

  
\_\_\_\_\_  
P.E.  
State Engineer



**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office OCT 06 2015

Returned to applicant for correction \_\_\_\_\_ Oct 3 2012 Under 82145

Corrected application filed \_\_\_\_\_ Map filed \_\_\_\_\_

The applicant Kinsley Gold LLC., c/o Gerald Heston  
1031 Railroad Street, Suite 101 of Elko  
Street Address or PO Box City or Town  
Nevada, 89801 hereby make(s) application for permission to change the  
State and ZIP Code

- Point of diversion       Place of use       Manner of use       of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit No. 82145

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- The source of water is Underground  
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 14.78 afa - 0.0347 cfs  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute
- The water to be used for Stockwater  
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
- The water heretofore used for Mining and Milling  
If for stock, state number and kind of animals.
- The water is to be diverted 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 stated.)  
within the SW1/4SW1/4 of Section 33, T27N, R68E, MDM, or at a point from which the W1/4 of said Section 33 bears N 19° 02' W, a distance of 1663.81 feet.
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
within the SW1/4SW1/4 of Section 33, T27N, R68E, MDM, or at a point from which the W1/4 of said Section 33 bears N 19° 02' W, a distance of 1663.81 feet.

*LOANED BY BILLY*

*LICENSURE 10/14/15*

*AV-SP  
10-1864  
21*

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

All of Sections 1, 2, 11, 12, 13, 14, 23, and 24 of T26N, R67E, MDM; All of Sections 4, 5, 6, 7, 8, 9, 17, 18, 19 and 20 of T26N, R68E, MDM; All Sections 13, 14, 23, 24, 25, 26, 35 and 36 of T27N, R67E, MDM; All Sections 7, 8, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33 of T27N, R68E, MDM. Refer to map filed under Permit No.82145

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

All of Sections 1, 2, 11, 12, 13, 14, 23, and 24 of T26N, R67E, MDM; All of Sections 4, 5, 6, 7, 8, 9, 17, 18, 19 and 20 of T26N, R68E, MDM; All Sections 13, 14, 23, 24, 25, 26, 35 and 36 of T27N, R67E, MDM; All Sections 7, 8, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31, 32 and 33 of T27N, R68E, MDM.

9. Proposed use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provision 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, pipes and flumes or drilled well, pump and motor, etc.)

Existing well, pumped to water truck and then utilized in movable troughs where the herds are.

12. Estimated cost of works Existing

13. Estimated time required to construct works Existing  
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use One year

15. 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.)

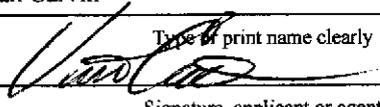
Water will be utilized on a daily basis as needed to provide water to the sheep herds within the place of use. Water troughs are moved every day to provide water to the herds, the herds can move as far as 5 miles in one day and may not make it back to the same place for months. This application will be able to help maintain water for the herd during this dry year. The herds can consist of up to 3300 head of sheep within this area.

16. Miscellaneous remarks:

Kinsley Gold LLC, has given permission to Henry C. Vogler to utilize these water rights for his sheep herds.

vivwater@sbcglobal.net  
E-mail Address  
775-333-9504  
Phone No. Ext.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

Vivian Carvin  
Type or print name clearly  
  
Signature, applicant or agent  
\_\_\_\_\_  
Company Name  
1806 Alexander Hamilton Dr.  
Street Address or PO Box  
Reno, NV 89509  
City, State, ZIP Code

85506T

### AFFIDAVIT IN SUPPORT OF STOCK-WATER APPLICATION

I [name] Henry C. Vogler IV, being first duly sworn, depose and say I or my agent filed a water right application(s) with the Nevada Division of Water Resources to appropriate water for stock-watering purposes. Application Numbers (if numbers have already been assigned).

Whereas, Nevada Revised Statute § 533.503(1) provides that the State Engineer shall not issue a permit to appropriate water for the purpose of watering livestock unless:

- (a) The applicant for the permit is legally entitled to place the livestock on the lands for which the permit is sought, **and**:
  - (1) Owns, leases or otherwise possesses a legal or proprietary interest in the livestock on or to be placed on the lands for which the permit is sought; or
  - (2) Has received from a person described in subparagraph (1), authorization to have physical custody of the livestock on or to be placed on the lands for which the permit is sought, and authorization to care for, control and maintain such livestock;
- (b) The forage serving the beneficial use of the water to be appropriated is not encumbered by an adjudicated grazing preference recognized pursuant to law for the benefit of a person other than the applicant for the permit; and
- (c) The lack of encumbrance required by paragraph (b) is demonstrated by reasonable means, including, without limitation, evidence of a valid grazing permit, other than a temporary grazing permit, that is issued by the appropriate governmental entity to the applicant for the permit.

I testify that I am the (1) owner  or (2) lessee  or (3) possess a legal or proprietary interest in the livestock to be watered under this application  (check applicable criteria) OR I have received  (check if applicable) from the person who owns or leases or otherwise possess a legal or proprietary interest in the livestock authorization to have physical custody of the livestock and authorization to care for, control and maintain such livestock.

Please check one: Private Land  Public Land

**IF THE APPLICATION IS FOR STOCK WATERING ON PRIVATE LAND:** I testify that I am the owner  or lessee  (check one) of the place of use where the livestock is to be watered.

**IF THE APPLICATION IS FOR STOCK WATERING ON PUBLIC LAND:** I testify that I hold the valid federal grazing permit, other than a temporary grazing permit, that is issued by the appropriate governmental entity to the applicant for the water right permit.

I have read all the statements in this Affidavit and the Affiant declares that the statements are true and correct to the best of my knowledge and belief.

State of Nevada  
County of White Pine

Subscribed and sworn to before me on Sept 23, 2015  
by Henry C. Vogler IV

Signature of Notary Public Required

Signed Henry C. Vogler IV  
 Applicant (Cannot be signed by an agent)  
 Address HCR 33 Box 33920  
 Street Address or P.O. Box  
Ely, NV 89301  
 City, State, Zip Code  
 Phone 775-591-0404  
 Email need saveshapes@yahoo.com

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