THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of Permittee:	**NEVADA DEPARTMENT OF WILDLIFE**
Source:	**TOULON OR GRAVEYARD DRAIN**
Basin:	**LOVELOCK VALLEY**
Manner of Use:	**WILDLIFE**
Period of Use:	**JANUARY 1ST THROUGH DECEMBER 31ST**
Priority Date:	**06/26/1975**

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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 250 cubic feet per second, herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water diverted from this source and the records submitted to the State Engineer on an annual basis on or before February 15th of the following year.

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 total combined duty of water under Permit 26906, Certificate 9740; Permit 26908, Certificate 9742; and Permits 29417, 29468, 29469, and 29470 for flows into Humboldt Wildlife Management Area (Humboldt Lake and Toulon Lake) shall not exceed 60,966 acre-feet annually. These permits are issued for flood waters and irrigation return flows. Use of these drainage waters is subject to availability and these permits shall not constitute a demand on any other parties to supply water to the points of diversion.

These permits are also issued subject to the terms and conditions of the State Engineer's Ruling 3594, dated March 31, 1989.

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 250 cubic feet per second or 39,393 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**August 28 2014**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**August 28 2018**
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 28th day of **August, 2013**

J. K. P.E.

State Engineer

№ 29468

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUN 26 1975

Returned to applicant for correction JUL 8 1975

Corrected application filed

Map filed JUL 8 1975

The applicant State of Nevada, Department of Fish and Game

P. O. Box 10678 (Street and No. or P.O. Box No.), of Reno (City or Town),

Nevada 89510 (State and Zip Code No.), hereby makes 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.)

1. The source of the proposed appropriation is Toulon or Graveyard Drain (Name of stream, lake or other source.)

2. The amount of water applied for is 250 (One second-foot equals 448.83 gals. per min.) second-feet

   (a) If stored in reservoir give number of acre-feet co-mingled with other waters to provide a total of 39,356 acre feet. acre-feet

3. The water to be used for fish, wildlife and recreation (Irrigation, power, mining, manufacturing, domestic, or other use.)

4. If use is for:

   (a) Irrigation (state number of acres to be irrigated)

   (b) Stockwater (state number and kinds of animals to be watered)

   (c) Other use (describe fully under "No. 12. Remarks") see remarks

   (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: within the SW¼SE¼ Sec. 19, T.26N., R.31E., M.D.B.&M. from which the S¼ corner of said Sec. 19 lies S 67° 26' W, 371 Ft.
   (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.)

6. Place of use See Attachment 1
   (Describe by legal subdivision, if on unsurveyed land it should be so stated.)

7. Use will begin about 1 January (Day and Month) and end about 31 December (Day and Month), 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.) existing drain channel
   (State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)

9. Estimated cost of works Existing

10. Estimated time required to construct works Existing

11. Estimated time required to complete the application to beneficial use ten years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

See Attachment 2

Applicant State of Nevada
Department of Fish and Game
Pro. 8/12/75 by Pershing Co.
Water Conservation Dist. By s/ Glen K. Griffith
P. O. Box 10678
Reno, Nv. 89510

Compared lk/ns

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:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

Commencement of work filed
Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk. Page
County Recorder

IN TESTIMONY WHEREOF, I, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this day of,

A.D. 19

State Engineer

Attachment 1, Nevada Department of Fish and Game

Places of Use

Toulon and Humboldt Lakes

T.24N., R.29E., M.D.B.&M.
- Sec. 1, All Except W½W½
- Sec. 13, E½SE¼ and SW¼SE¼
- Sec. 24, All Except W½W½ and NE¼NW¼
- Sec. 25, NE¼, N½SE¼ and SE¼SE¼

T.24N., R.30E., M.D.B.&M.
- Sec. 3, All Except E½E½
- Sec. 4, All
- Sec. 5, All
- Sec. 6, All Except E½NW¼ and Lots 6 and 7
- Sec. 7, E½NE¼, NW¼NE¼, SE¼ and SE¼SW¼
- Sec. 8, All
- Sec. 9, All
- Sec. 10, All
- Sec. 15, All Except E½SE¼ and SW¼SE¼
- Sec. 16, All
- Sec. 17, All
- Sec. 18, All
- Sec. 19, All
- Sec. 20, All
- Sec. 21, All Except S½SE¼
- Sec. 22, NW¼NW¼
- Sec. 29, NE¼NE¼, W½NE¼, N½SW¼ and NW¼
- Sec. 30, All

T.25N., R.29E., M.D.B.&M.
- Sec. 24, E½SE¼ and SW¼SE¼
- Sec. 25, NE¼ and E½SE¼
- Sec. 36, E½

T.25N., R.30E., M.D.B.&M.
- Sec. 3, W½NE¼, NW¼SE¼, SW¼ and SE¼NW¼
- Sec. 4, NE¼SE¼ and S½S½
- Sec. 5, S½SE¼
- Sec. 8, All Except W½NW¼ and SE¼SE¼
- Sec. 9, All Except SW¼SE¼ and S½SW¼
- Sec. 10, W½W½, SE¼SW¼ and SW¼SE¼
- Sec. 15, NW¼NE¼, NW¼SW¼ and NW¼
- Sec. 16, All Except NW¼NW¼
- Sec. 17, SE¼NE¼, SE¼, NE¼NW¼ and W½W½
- Sec. 18, E½NE¼, SW¼NE¼, SE¼ and SE¼SW¼
- Sec. 19, All Except SE¼NE¼, SE¼ and NW¼NW¼
- Sec. 20, All
- Sec. 21, All Except NE¼NE¼
- Sec. 22, SW¼ and SW¼NW¼
- Sec. 27, All Except NE¼ and SE¼NW¼

Sec. 28, All
Sec. 29, All
Sec. 30, E½SE¼ and W½
Sec. 31, S½SE¼, NW¼ and Lots 3 and 4
Sec. 32, All
Sec. 33, All
Sec. 34, All
Sec. 35, W½SW¼ and NW¼NW¼

ATTACHMENT 2

Nevada Department of Fish and Game

TOULON DRAIN

12. Remarks - Flood water and return flows will be used for fish, wildlife and recreation pruposes in Toulon and Humboldt Lakes in the total amount of 71,129 acre-feet (AF) per year as stated in Table 31 of Volume II, Report of Environmental and Wildlife Investigations, Humboldt River Upstream Storage Project & Rock Creek Dam Project, Nevada Division of Water Resources, December 1974.

The applicant holds existing Permit 26906 which allows for 31,773 AF of water in the same bodies and this application is one of three intended to make up the difference. Water surface elevations of the two lakes, representing the 71,129 AF requirement, are 3,894.8 ft. and 3,890.0 ft. respectively. At these levels, Toulon Lake has an area of 2,400 acres and Humboldt Lake's area is 14,396 acres. The annual evapotranspirational loss of water is 4.235 ft. resulting in 10, 163 AF and 60,965 AF respectively from the two lakes for a total of 71,129 AF. The difference between this 71,129 AF and the 31,773 AF allowed by Permit 26906 is 39,356 AF, the amount applied for in this application.

Water from Toulon (Graveyard) Drain supplies Toulon Lake while water from Toulon Drain, Humboldt River and Army Drain are co-mingled in Humboldt Lake. The 39,356 AF figure is supplied by all three sources.