

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

Date of filing in State Engineer's Office. NOV - 5 1990

Returned to applicant for correction

Corrected application filed

Map filed. NOV - 5 1990

The applicant R.C. Roberts & Barbel Roberts Susan Valley Ranch, Post Office Box 270, Standish, California (96128), hereby make... application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is Soldier Meadow Creek & Tributaries

2. The amount of water applied for is 15 second-feet

(a) If stored in reservoir give number of acre-feet 1300

3. The water to be used for Irrigation & Domestic

4. If use is for:

(a) Irrigation, state number of acres to be irrigated 915 Acres

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

(c) Other use (describe fully under No. 12. "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 NE 1/4 SE 1/4 Section 5, T40N, R25E, MDM or at a point from which the Northeast corner of said Section 5 bears, N 03° 25' 25" W a distance of 3338.8 feet.

6. Place of use SE 1/4 SW 1/4, NE 1/4 SW 1/4, W 1/2 SE 1/4, NE 1/4 SE 1/4 Section 5, NW 1/4, N 1/2 NE 1/4, N 1/2 SW 1/4, SW 1/4 SW 1/4 Section 8, W 1/2 NW 1/4 Section 17, S 1/2 SE 1/4 Section 7, NE 1/4, SE 1/4, Section 18, T40N, R25E, MDM. Note: Portions of the PPOU were withdrawn by applicant's agent in letter dated 8-1-91.

7. Use will begin about January 1 and end about December 31, 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.) Earth filled dam with two 18-inch outlet pipes. Uppermost 18-inch pipe will be used to divert water into a new irrigation ditch to irrigate new acreage.

9. Estimated cost of works..... \$450,000

10. Estimated time required to construct works..... Two Years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... Five Years

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

This application is being made to appropriate water to irrigate 915-acres of new acreage for a new appropriation of 3660 acre feet. A storage application is being made to store water to carry over for the irrigation of 915 acres plus 425 acres of a vested right under Proof of Appropriation 2394. The total amount of water to be stored for carry-over would be 1,300 acre feet.

By..... s/ Richard W. Arden Agent
950 Industrial Way
Sparks, NV (89431)

Compared..... am/ se am/se

Protested..... 2/14/91 by: U.S. Fish & Wildlife Service
Pro. wdr. 8-27-91

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 to store 1300 acre-feet of water per annum for irrigation on 915 acres of land is issued subject to all existing rights on the source and also subject to NRS 535.010. The proof of beneficial use and cultural map, when filed, must show the maximum amount of water stored and released during any one year, and the lands on which such water was used. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued subject to all existing rights on the source. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit is issued subject to the terms and conditions imposed in the Soldier Meadow Creek Decree, Case No. 5843 in the 6th Judicial District Court of the State of Nevada, in and for the County of Humboldt, July 19, 1960.

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 amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to

exceed..... 15 cubic feet per second, and not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before..... January 3, 1994

Proof of completion of work shall be filed before..... February 3, 1994

Application of water to beneficial use shall be filed on or before..... January 3, 1997

Proof of the application of water to beneficial use shall be filed on or before..... February 3, 1997

Map in support of proof of beneficial use shall be filed on or before..... February 3, 1997

Completion of work filed..... JAN 27 2000

Proof of beneficial use filed..... MAR 20 2001

Cultural map filed..... MAR 20 2001

Certificate No. 15931 Issued..... DEC 03 2001

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 3rd day of January

A.D. 1992

[Signature]
State Engineer