Permit No. 61145

THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant:	**BIG CREEK RANCH, LLC**
Source:	**PASS & BIG CREEK**
Basin:	**PINE FOREST VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**01/01/1899**

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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 to change the point of diversion, place and manner of use of the waters of a portion of Pass and Big Creek, as heretofore appropriated under Decree on Mandate B-29, dated 1 July 1925, in the United States District Court for the District of Nevada, is issued subject to the terms, conditions and irrigation period imposed in said decree, and with the understanding that no other rights on the source will be affected by the change proposed herein.

A substantial water measuring device must be installed at the point of diversion described in the permit. Monthly records shall be kept of the amount of water diverted from this source and placed to beneficial use. Accumulation and rotation methods may be used upon mutual agreement of the parties so long as the rights of all users of the waters of this source are satisfied.

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 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 4.8 cubic feet per second or 1,244.41 acre-feet annually and not to exceed 3.6 acre feet per acre from any and all sources.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **February 10, 2012**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **February 10, 2015**

Map in support of proof of beneficial use shall be filed on or before: **February 10, 2015**

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 10th day of **February**, A.D. **2010**

K. [signature] P.E.
for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Serial No. 61145

2nd AMENDED 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

Date of filing in State Engineer's Office APR 14 1995

Returned to applicant for correction MAY 23 1995

Corrected application filed JUN 12 1995 Map filed APR 14 1995

The applicant Craig and Susan Moore

Star Route Box 398 (Street and No. or P.O. Box No.) of Winnemucca (City or Town)

Nevada, 89445 (State and Zip Code No.) hereby make application for permission to change the

Point of Diversion, place and manner of use of a portion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Pacific Live Stock Co. vs D. M. Reed, (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Court Decree No. B-29

1. The source of water is Pass Creek and Big Creek (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 4.80 CFS (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Irrigation (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Irrigation as decreed (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
5. The water is to be diverted at the following point in the NW¼ SE¼ Section 23, T. 44 N., R. 30 E., M. D. B. &M., or at a point from which the South ¼ corner of said Section 23 bears S. 02°02' W. a distance of 1357 feet. (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. The existing permitted point of diversion is located within see attached page (If point of diversion is not changed, do not answer.)
7. Proposed place of use SE¼ Section 23; the W½ SW¼, SW¼ NW¼, and S½ NW¼ NW¼ Section 24, T. 44 N., R. 30 E., M.D.B. &M. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

   300 Acres per decree
8. Existing place of use Portions of NE¼ NE¼, NW¼ NE¼, SW¼ NE¼; SE¼ NE¼; E½ NE¼ SE¼ and E½ SE¼ SE¼ Section 26; portion of NW¼ NW¼ and NE¼ NW¼ Section 36; portion of NE¼ NE¼ Section 35; NW¼ SW¼, NE¼ SW¼, SW¼ SW¼ and SE¼SW¼ of Section 25, all in T. 44 N., R. 30 E., M. D. B. &M. 300 acres per decree. (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
9. Use will be from January 1 (Month and Day) to Dece.ber 31 (Month and Day) of each year.
10. Use was permitted from as decreed (Month and Day) to as decreed (Month and Day) of each year.
11. 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.) ditches and pipe lines to places of use; small storage ponds. (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works $50,000.
13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

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

See plat for Pacific Live Stock Co. dated September 1921, which was used as the basis for Decree No. B-29.

Decree of 500 acres @ 7.5 cfs pro-rated to 2.70 cfs for 180 acres under No. 02908 to 02914 inclusive and 4.80 cfs for this application for 300 acres.

By s/Ernest E. Muller
Ernest E. Muller, Sr., SWRS 702
750 W. Pueblo St.
Reno, NV., 89509

Compared sm/jk

Protested

.....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 changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

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.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

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

61145

• 702/323-2622

BIG E, INC.

ENGINEERING • CONSULTING • LAND SURVEYING
750 WEST PUEBLO ST., RENO, NEVADA 89509

Application No. 61145

Answers to Question No. 6:

The existing points of diversion are located

Within the SE¼ SE¼ Section 26, T. 44 N., R. 30 E., M. D. B. &M., or at a point from which the North ¼ corner of said Section 26 bears N. 24°32' W. a distance of 4900 feet (Pass Creek) and

Within the NW¼ NE¼ Section 26, T. 44 N., R. 30 E., M. D. B. &M., or at a point from which the North ¼ corner of said Section 26 bears N. 49°45' W. a distance of 1512 feet (Pass Creek) and

Within the NW¼ SE¼ Section 23, T. 44 N., R. 30 E., M. D. B. &M., or at a point from which the South ¼ corner of said Section 23 bears S. 02°02' E. a distance of 1357 feet (Big Creek).