



THE STATE OF NEVADA
PERMIT TO APPROPRIATE WATER

Name of applicant: DUCK LAKE RANCH, LLC
Source: CHERRY CREEK
Basin: DUCK LAKE VALLEY
Manner of Use: IRRIGATION
Period of Use: April 1st to October 31st
Priority Date: 03/27/2001

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 water right 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.

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.

All water diverted from Cherry Creek under this permit is supplemental to lands irrigated from the waters of Wall Canyon Creek under Permit 22127, Certificate 8901 and Permit 28252, Certificate 12844, and Proofs V0720 and V0734.

A substantial weir shall be installed at the point of diversion and weekly records shall be maintained of the flow in Cherry Creek and shall be reported to the State Engineer at the end of the irrigation season or by November 15 of each year.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, which is 3560 acre-feet and not to exceed 8.0 cubic feet per second and not to exceed a total duty of 4.0 acre-feet per acre of land irrigated from any and all sources within the described place of use.

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

August 18, 2010

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

August 18, 2011

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

August 18, 2011

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 18th day of August, A.D. 2008

Tracy Taylor, P.E.
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

AMENDED

No. 67379

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

Date of filing in State Engineer's Office MAR 27 2001

Returned to applicant for correction APR 27 2001

Corrected application filed JUN 12 2001

Map filed JUN 12 2001

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The applicant **Duck Lake Ranch, LLC, a Nevada Limited Liability Company** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Cherry Creek & Tributaries**
2. The amount of water applied for is **8 cfs** second-feet
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Irrigation**
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated **890.0 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 **NW¼ NE¼, Section 16, T.37N., R.19E., M.D.B.&M., or at a point from which the SE corner of Section 13, T.37N., R.18E., M.D.B.&M., bears S. 76° 07' 50" W., a distance of 13975 feet.**
6. Place of Use **See Attachment "A"**
7. Use will begin about **April 1** and end about **October 31** of each year.
8. Description of proposed works **Existing diversion structures – Clark and Patterson Ditches**
9. Estimated cost of works **\$50,000.00**
10. Estimated time required to construct works **Two (2) Years**
11. Estimated time required to complete the application of water to beneficial use **Five (5) Years**
12. Remarks: **Cherry Creek is a tributary to Wall Canyon Creek (aka Wall Creek), a fully appropriated creek. Water from Cherry Creek is co-mingled with Wall Canyon Creek water to irrigate 960 acres. Filing this application does not waive any claim to vested rights being filed to the waters of this source.**

s/Gregory M. Bilyeu  
By Gregory M. Bilyeu  
500 Damonte Ranch Parkway, Suite 1056  
Reno, NV 89511

Compared my/emf

Protested \_\_\_\_\_

67379

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## ATTACHMENT "A"

## 5. Place of Use

|           |    |           |             |
|-----------|----|-----------|-------------|
| S ½       | 12 | T37N R18E | M.D.B. & M. |
| NE ¼ NW ¼ | 13 | T37N R18E | M.D.B. & M. |
| NE ¼      | 13 | T37N R18E | M.D.B. & M. |
| SW ¼ NW ¼ | 7  | T37N R19E | M.D.B. & M. |
| SW ¼      | 7  | T37N R19E | M.D.B. & M. |
| SW ¼ SE ¼ | 7  | T37N R19E | M.D.B. & M. |
| W ½ NE ¼  | 16 | T37N R19E | M.D.B. & M. |
| E ½ NW ¼  | 16 | T37N R19E | M.D.B. & M. |
| SW ¼ NW ¼ | 16 | T37N R19E | M.D.B. & M. |
| NW ¼      | 17 | T37N R19E | M.D.B. & M. |
| W ½ NE ¼  | 17 | T37N R19E | M.D.B. & M. |
| SE ¼ NE ¼ | 17 | T37N R19E | M.D.B. & M. |
| N ½       | 18 | T37N R19E | M.D.B. & M. |
| SW ¼      | 18 | T37N R19E | M.D.B. & M. |
| W ½ SE ¼  | 18 | T37N R19E | M.D.B. & M. |
| N ½ NW ¼  | 19 | T37N R19E | M.D.B. & M. |
| NW ¼ NE ¼ | 19 | T37N R19E | M.D.B. & M. |

Place of use to be limited to 890 acres within the above described subdivisions.