

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 JUL 22 2002

Returned to applicant for correction

Corrected application filed

Map filed JUL 22 2002

The applicant Calvest Associates, a Nevada Corporation, hereby makes application for permission to change the Point of Diversion and Place of Use of a portion of water heretofore appropriated under Permit 49274

- 1. The source of water is Underground
2. The amount of water to be changed 0.1162 CFS not to exceed 49.32 acre-feet.
3. The water to be used for Irrigation
4. The water heretofore permitted for Irrigation
5. The water is to be diverted at the following point NE 1/4 SE 1/4 Section 23, T.11N., R.26E., M.D.B.&M., or at a point from which the E 1/4 corner of said Section 23 bears N. 27°28'10" E., a distance of 1505 feet.
6. The existing permitted point of diversion is located within the NE 1/4 SE 1/4, Section 8, T.10N., R.27E., M.D.B.&M., or at a point from which the E 1/4 corner of said Section 8 bears N. 84°42'45" E., a distance of 943.65 feet.
7. Proposed place of use portions of SW 1/4 NE 1/4, SE 1/4 NE 1/4, NW 1/4 SE 1/4 and NE 1/4 SE 1/4, Section 23, T.11N., R.26E., M.D.B.&M.
8. Existing place of use See Exhibit "A"
9. Use will be from April 1 to October 31 of each year.
10. Use was permitted from April 1 to October 31 of each year.
11. Description of proposed works Drilled and cased well, equipped with a motor, pump, & meter.
12. Estimated cost of works \$75,000.00
13. Estimated time required to construct works Three (3) years.
14. Estimated time required to complete the application of water to beneficial use Five (5) years.
15. Remarks: This application is being filed to change the Point of Diversion and Place of Use of a portion of Permit 49274, appurtenant to 48 acres within the described Place of Use and further described as APN 12-471-75. Total combined duty of application to change portions of Permits 49274, 49276, 49277 & 49278 shall not exceed 192 acre-feet.

By Gregory M. Bilyeu
s/Gregory M. Bilyeu
500 Damonte Ranch Parkway, Suite 1056
Reno, Nevada 89521

Compared cmf/ cac lb/ sam

Protested

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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 49274 is issued subject to the terms and conditions imposed in said Permit 49274 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 and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 68973, 68974, 68975 and 68976 and any water of the Walker River Decree and any storage water appurtenant to the place of use shall not exceed 192 acre-feet per year for the irrigation of 48 acres. The permit holder is responsible for insuring delivery of the entitled decreed and storage waters that are supplemental to these permits.

In any year the Walker River Irrigation District declares a full allocation of decreed water to the priority years of C-125 decree claims supplemental to these permits, underground water shall not be pumped from the wells described in these permits.

These permits for underground water are issued as a supplemental water supply to lands that have a surface water right from the East Walker River from Claim no. 17 of the Walker River Decree C-125, or from storage water provided from the Walker River Irrigation District

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1162 cubic feet per second, but not to exceed 49.32 acre-feet seasonally, and not to exceed a seasonal duty of 4.0 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:

April 8, 2006

Proof of completion of work shall be filed on or before:

May 8, 2006

Water must be placed to beneficial use on or before:

April 8, 2008

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

May 8, 2008

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

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 8th day of April, A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____

EXHIBIT "A"

8. Existing place of use:

T. 11N., R. 26E., M.D.B.&M.

Section 14: SE $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 23: NE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$
 Section 26: NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 25: NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 36: All

T. 11N., R. 27E., M.D.B.&M.Section 31: SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ T. 10N., R. 26E., M.D.B.&M.Section 1: NE $\frac{1}{4}$ NE $\frac{1}{4}$ T. 10N., R. 27E., M.D.B.&M.

Section 6: N $\frac{1}{2}$, SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 5: NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$
 Section 7: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 8: W $\frac{1}{2}$, SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$
 Section 17: E $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 16: SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 20: E $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 21: W $\frac{1}{2}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
 Section 29: NE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 28: NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$
 Section 9: SW $\frac{1}{4}$ SW $\frac{1}{4}$ per letter
 9-17-85
 MM

48 acres being changed as follows:

T. 11N., R. 26E., M.D.B.&M.

Section 23: SE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.6 acres
 SW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.4 acres
 NW $\frac{1}{4}$ SE $\frac{1}{4}$ 15.6 acres
 NE $\frac{1}{4}$ SE $\frac{1}{4}$ 9.4 acres