

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 DEC 10 2003

Returned to applicant for correction

Corrected application filed

Map filed DEC 17 2001 under 68320

The applicant Lantana Ranch Family Limited Partnership, hereby makes application for permission to change the Point of Diversion and Place of Use of a portion of water heretofore appropriated under Permit 49278

- 1. The source of water is underground
2. The amount of water to be changed 0.0484 c.f.s., not to exceed 20.55 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 NE 1/4, Section 26, T.11N., R.26E., M.D.B.&M, or at a point from which the NE Corner of said Section 26 bears N. 29°34'50" E., a distance of 1340.0 feet. See map under Permit 68320
6. The existing permitted point of diversion is located within SE 1/4 NE 1/4, Section 36, T.11N., R.26E., M.D.B.&M., or at a point from which the NW Corner of Section 31, T.11N., R.27E., M.D.B.&M., bears N. 19°20'52" E., a distance of 1485.72 feet. See map under Permit 49274.
7. Proposed place of use SE 1/4 SW 1/4, Section 14; NE 1/4 NW 1/4, Portion of the NW 1/4 NE 1/4, Section 23; all in T.11N., R.26E., M.D.B.&M. (Parcel F6 - Lyon County APN 12-471-73)
8. Existing place of use See Attachment "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 A drilled and cased well equipped with a motor, pump & meter then via a pipeline to the proposed place of use.
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 changes the remaining portion of Permit 49278 owned by the Applicant and appurtenant to Lyon County APN 12-471-73. Water will be diverted from a well into a pipeline and conveyed to the proposed place of use. The total combined duty of applications to change portions of Permits 49274, 49276, 49277 & 49278 shall not exceed 80 acre-feet. Refer to map(s) on file under Permit 49274 for the existing place of use.

By Gregory M. Bilyeu
s/Gregory M. Bilyeu
500 Damonte Ranch Parkway, #1056
Reno, NV 89521

Compared cmf/sam ag/ cmf

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 49278 is issued subject to the terms and conditions imposed in said Permit 49278 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 70682, 70683, 70684 and 70685 and any water of the Walker River Decree C-125, and any storage water, appurtenant to the place of use shall not exceed 80.0 acre-feet per season for the irrigation of 20.0 acres within the described place of use. The permit holder is responsible for insuring delivery of the entitled decreed and storage waters that are supplemental to these permits. In any year that the Federal Water Master or the Walker River Irrigation District declares a full allocation of decreed water to the priority years of C-125 Claims supplemental to these permits, underground water shall not be pumped from the well described in these permits.

These permits for underground water are issued as a supplemental water supply to lands that have surface water rights from the East Walker River from Claim No. 17 of the Walker River Decree C-125, or from storage water provided by the Walker River Irrigation District. Irrigation shall not exceed a duty of 4.0 acre-feet per season from the total of decreed, storage, and underground waters.

(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 0.0484 cubic feet per second, but not to exceed 20.55 acre-feet per season, 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:

July 26, 2005

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

August 26, 2005

Water must be placed to beneficial use on or before:

July 26, 2008

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

August 26, 2008

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

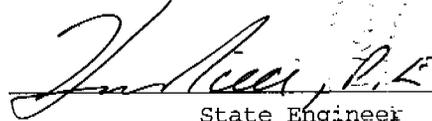
August 26, 2008

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 20th day of July, A.D. 2004



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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 $\frac{1}{2}$ 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 $\frac{1}{2}$ 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 $\frac{1}{2}$, 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 $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ 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 23: 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 $\frac{1}{4}$ see letter
 9-17-85
 MM

20 acres being removed from irrigation under this permit within the following subdivisions

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 14, T.11N., R.26E., M.D.B. & M.
 NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 23, T.11N., R.26E., M.D.B. & M.
 NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, T.11N., R.26E., M.D.B. & M.