

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 26 2004

Returned to applicant for correction MAY 25 2004

Corrected application filed _____

Map filed MAY 28 2004 under 71115

The applicant **Gary P. and Robin B. Armstrong** hereby make application for permission to change the **Place of Use and Manner of Use** of water heretofore appropriated under Permit 64535

1. The source of water is **Underground**
2. The amount of water to be changed **1.0 CFS, 236.8 acre feet**
3. The water to be used for **Commercial (Aquaculture)**
4. The water heretofore permitted for **Irrigation and Domestic Purposes**
5. The water is to be diverted at the following point **within the SE¼ SE¼ Section 3, T.11N., R.33E., MDM or at a point from which the Southeast corner of said Section 3 bears S. 22°26'45" E., a distance of 69.13 feet (Well 2).**
6. The existing permitted point of diversion is located within
7. Proposed place of use **within the SW¼ of Section 3, T.11N., R.33E., MDM**
8. Existing place of use **Section 3, T.11N., R.33E., MDM: SW¼ SW¼ - 32.5 ac.; NW¼ SW¼ - 26.7 ac.; Total 59.2 Ac,**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Install new pump and motor in existing well, Install piping to fish farm tanks and construct infiltration systems and wetlands for effluent disposal**
12. Estimated cost of works **\$1.5 million**
13. Estimated time required to construct works **two years**
14. Estimated time required to complete the application of water to beneficial use **4 years**
15. Remarks: **The Aquaculture project will be constructed in two phases. Phase 1 of the project will require approximately 620 gallons per minute or 1000 acre feet. Ultimately, the project will require approximately 2000 gallons per minute. The infiltration/wetland systems are currently being designed so a total consumptive use has not been calculated.**

By **Thomas A. Foote**
s/Thomas A. Foote, Agent
5190 Neil Road, Suite 210
Reno, NV 89502

Compared cmf/sam lt/

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 place of use and manner of use of the waters of an underground source as heretofore granted under Permit 64535 is issued subject to the terms and conditions imposed in said Permit 64535 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 measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. 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 total combined duty of water under Permits 71115, 71116, 71117, and 71118 shall not exceed 996.0 acre-feet annually.

(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 1.00 cubic feet per second, **but not to exceed 236.8 acre-feet annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

March 7, 2006

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

April 7, 2006

Water must be placed to beneficial use on or before:

March 7, 2008

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

April 7, 2008

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

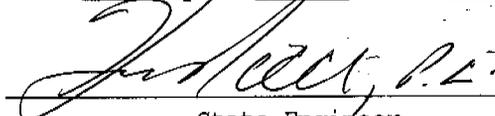
April 7, 2008

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 7th day of March A.D. 2005



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____