



2ND CORRECTED PERMIT

THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of applicant: COLVIN & SON, LLC
Source: UNDERGROUND
Basin: LITTLE FISH LAKE VALLEY
Manner of Use: IRRIGATION
Period of Use: April 15th to October 15th
Priority Date: 09/07/2004

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 existing rights. It is understood that the amount of water 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 beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Any application to change this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin, and may be restricted to the consumptive use (2.4 acre-feet per acre).

This permit is issued subject to State Engineers Ruling 5719 and Stipulated Agreement Case No. CV26374, Fifth Judicial District Court of the State of Nevada in and for the County of Nye, dated September 2008.

(Continued on Page 2)

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, **and not to exceed 3.0 cubic feet per second or 714.05 acre-feet seasonally (120 days) and not to exceed 3.5 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:

March 3, 2010

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

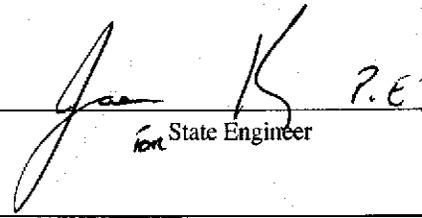
March 3, 2012

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

March 3, 2012

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 3rd day of March, A.D. 2009



ion State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb



see 2nd Corrected

Permit No. 71659

CORRECTED PERMIT

**THE STATE OF NEVADA
PERMIT TO APPROPRIATE WATER**

Name of applicant: COLVIN & SON, LLC
Source: UNDERGROUND
Basin: LITTLE FISH LAKE VALLEY
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 09/07/2004

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 existing rights. It is understood that the amount of water 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 beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

This permit is issued subject to Ruling 5719.

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, and not to exceed 3.0 cubic feet per second or 714.05 acre-feet seasonally and not to exceed 3.0 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:

April 26, 2008

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

April 26, 2010

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

April 26, 2010

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of February, A.D. 2008

Tracy Taylor P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

SEE Corrected Permit

NO. 71659

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

Date of filing in State Engineer's Office SEP 07 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 15 2004

The applicant **Colvin & Son, LLC** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **underground (North Valley well)**
2. The amount of water applied for is **3.0 c.f.s** 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 **360 acres**
 - (b) Stockwater, state number and kind 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 **NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 6, T.11N., R.50E., M.D.M. from which the SW corner of said Section 6 bears S. 46°15'W., 3,253 feet distant.**
6. Place of Use **T.11N., R.50E., M.D.M. Section 6: E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 7: E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **drilled well, casing, line shaft turbine pump, with motor, and distribution lines to existing and new ditch system.**
9. Estimated cost of works **\$40,000.00**
10. Estimated time required to construct works **three year.**
11. Estimated time required to complete the application of water to beneficial use **six years.**
12. Remarks: **A portion of the proposed place of use is the subject of claim #02859.**

By **s/William A. Nisbet Agent**
421 Court Street
Elko, NV 89801

Compared sc/sg lt/gkl

Protested 12/14/04 by: Jeff Kerbel; 12/27/04 by: David L. Murphey
Pro. Overruled 2/16/2007 See Ruling #5719

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 existing rights. It is understood that the amount of water 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 beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

This permit is issued subject to Ruling 5719.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.0 cubic feet per second, but not to exceed 1014.52 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 proof of completion of work shall be filed on or before:

April 26, 2008

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

April 26, 2010

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

April 26, 2010

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 26 day of April A.D. 2007

Tracy Taylor P.E. State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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

THIS SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Office SEP 07 2004
Return to applicant for correction
Corrected application field Map filed SEP 15 2004

The applicant Colvin & Son, LLC
37650 Ritter Road of Ritter
Street and No. or P. O. Box No. City and Town
OR 97856, hereby make s application for permission to
State and Zip Code No.

appropriate the public waters of the state of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Is applicant a U.S. Citizen: Yes [X] No []
Is applicant 21 years of age or older: Yes [X] No []

1. The source of the proposed appropriation is underground (North Valley well)
Name of stream, lake, underground, spring or other source

2. The amount of water applied for is 3.0 c.f.s second feet.
One second foot equals 448.83 gallons per minute

Per 4/22
the
water

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Irrigation
Irrigation, power, mining, comercial, etc. If for stock state number and kind of animals. Must limit to one major use.

4. If use is for:
(a) Irrigation, state number of acres to be irrigated 253.63 / 360 acres
(b) Stockwater, state number and kind of animals
(c) Other use (describe fully under "No. 12 Remarks")
(d) Power:
(1) Horse power developed
(2) Point of return of water to stream

150-117

5. The water is to be diverted from its source at the following points NE¹/₄SW¹/₄ Sec. 6, T.11N., R.50E., M.D.M.
Describe as being within a 40-acre subdivision of
from which the SW corner of said Section 6 bears S. 46°15'W., 3,253 feet distant.
public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

6. Place of use T.11N., R.50E., M.D.M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

Per 4/22
Lte
WHR

Section 6: E¹/₂SW¹/₄, W¹/₂SE¹/₄
Section Amend Item 6 by adding the following to the end of the described place of use:
"...excepting therefrom approximately 106.37 acres irrigated under the
vested claim bearing serial number V02859 as depicted on page 2 of 6
upon the maps filed in association with V02859." (see also Exhibit A hereby
attached and incorporated by reference).

7. Use will begin about January 1 and end about December 31 of each year.
Month and Day Month and Day

8. 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.) drilled well, casing, line shaft turbine pump,
State manner in which water is to be diverted, i.e. diversion structure,
with motor, and distribution lines to existing and new ditch system.

9. Estimated cost of works \$40,000.00

10. Estimated time required to construct works three year.
If well completed, describe works.

11. Estimated time required to complete the application of water for beneficial use six years.

12. Remarks: for use other than irrigation or stock watering, state number of type of units to be served or
annual consumptive use: A portion of the proposed place of use is the subject of claim #02859.
Please send copies of notices and correspondence to the undersigned.

TELEPHONE NUMBER
(775) 738-2121

By William A. Fisher Agent
Signature, applicant or agent
421 Court Street
Street and No., or P.O. Box No.
Elko, NV 89801
City, State, Zip Code No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

10 APR 11 11:33 AM

\$250 FILING FEE MUST ACCOMPANY APPLICATION