

AMENDED PERMIT

THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of applicant: JOSHUA O. BOTTARI AND VICTORIA A. WESTER
Source: UNDERGROUND
Basin: LAMOILLE VALLEY
Manner of Use: IRRIGATION
Period of Use: April 1st to September 30th
Priority Date: 02/22/2005

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.

This permit is intended to fully supplement the 10.13 acres of water from Lamoille Creek under Permit 1408, Certificate 1372-3. Surface water must be used before underground water can be used.

(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 1.0 cubic feet per second, but not to exceed 30.39 acre-feet annually, and not to exceed a yearly duty of 3.00 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:

March 2, 2012

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

March 2, 2014

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

March 2, 2014

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 5th day of March, A.D. 2009

Kel. Hull P.E.
for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb



See amended

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(Continued on Page 2)

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 33.39 acre-feet annually, and not to exceed a yearly duty of 3.00 acre-feet per acre of land irrigated from any and/or all sources.

30.39

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

March 2, 2012

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

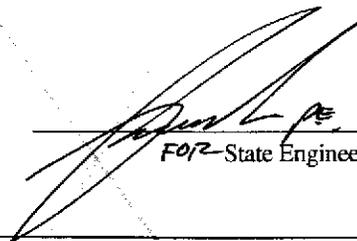
March 2, 2014

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

March 2, 2014

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2nd day of March, A.D. 2009



FOI2 State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

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

Date of filing in State Engineer's Office FEB 22 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 22 2005

The applicant **Joshua O. Bottari and Victoria A. Wester** hereby make 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**
2. The amount of water applied for is **1.00 cfs** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Irrigation and Domestic purposes**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **11.00 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 SE¼ of Section 13, T.33N., R.57E., M.D.B.&M., at a point from which the East ¼ corner of said Section 13, bears N 70° 03' 01" E, 2135.87 feet.**
6. Place of Use **Portion of the NW¼ SE¼ of Section 13, T.33N., R.57E., M.D.B.&M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled well, pump motor and pipe lines**
9. Estimated cost of works **\$10,000.00**
10. Estimated time required to construct works **3 years**
11. Estimated time required to complete the application of water to beneficial use **5 years**

72244

12. Remarks:

By **High Desert Engineering**
s/ Robert E. Morley
Robert E. Morley, Agent
640 Idaho Street
Elko, Nevada 89801

Compared gkl/ag

Protested _____
