Permit No. 74735

THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant:	**SONTERRA DEVELOPMENT COMPANY, LLC**
Source:	**UNDERGROUND**
Basin:	**SAN EMIDIO DESERT**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**01/20/1976**

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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 66134 is issued subject to the terms and conditions imposed in said Permit 66134 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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on an annual basis within 30 days after the end of each calendar year.

The total combined duty of water under Permit 28087, Certificate 8434, Permits 74727, 74728, 74729, 74733, 74735 and 74736 is limited to 2512.0 acre-feet annually for the irrigation of 628.0 acres.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permit 28087, Certificate 8434, Permit 28088, Certificate 8435, Permit 29143, Certificate 10666, Permit 30898, Certificate 10671, Permits 65337, 74725, 74726, 74727, 74728, 74729, 74730, 74731, 74732, 74733, 74734, 74735, and 74736 shall not exceed 4126.0 acre-feet annually for the irrigation of 1031.50 acres.

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

The point of diversion and place of use is as described under items 5 & 7 respectively on the submitted application to support this permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.368** cubic feet per second, **or 68.0 acre-feet annually , and not to exceed a yearly 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:	**June 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:	**June 26, 2009**
Map in support of proof of beneficial use shall be filed on or before:	**June 26 ,2009**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 26th day of **June**, A.D. **2007**

Tracy Taylor, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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No. 74735

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 SEP 05 2006

Returned to applicant for correction SEP 25 2006

Corrected application filed

Map filed OCT 06 2006 under 74725

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The applicant **Sonterra Development Company, LLC** hereby makes application for permission to change the **Point of Diversion and Place of Use, or a Portion** of water heretofore appropriated under **Permit No. 66134**

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1. The source of water is **Underground (Well #1)**

2. The amount of water to be changed **0.368 c.f.s., but not to exceed 68 acre- feet annually**

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 **SE¼ SE¼ of Section 25, T.30N., R.22E., M.D.B.&M., or at a point from which the SE corner of said Section 25 bears S. 88°25' E., a distance of 1,095 feet.**

6. The existing permitted point of diversion is located within **SW¼ NE¼ of Section 24, T.30N., R.22E., M.D.B.&M., or at a point from which the E¼ corner of said Section 24 bears S. 86°28'58" E., a distance of 2,627.89 feet.**

7. Proposed place of use **SW¼ NE¼ (8.5 ac.), NW¼ SE¼ (8.5 ac.): all in Section 25, T.30N., R.22E., M.D.B.&M., 17 acres total.**

8. Existing place of use **NW¼SE¼ (31.5 ac.), SW¼ SE¼ (31.5 ac.), E½SE¼.W½NE¼; all in Section 24, T.30N., R.22E., M.D.B.&M., 223 acres total. A total of 17 acres are being removed from the NW¼NE¼(8.5 ac.) and the SW¼SE¼ (8.5 ac.); all in Section 24, T.30N., R.22E., M.D.B.&M.**

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 **Existing drilled and cased well complete with motor pump and meter completed with Permit No. 28087**

12. Estimated cost of works **Completed – See Permit No. 28087**

13. Estimated time required to construct works **Completed – See Permit No. 28087**

14. Estimated time required to complete the application of water to beneficial use **Four (4) years**

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15. Remarks: **This application is being filed to transfer the point of diversion from a well no longer in service. The remaining 17 acres out of the 223 acres in the existing place of use are being stripped by this application.**

By **Katelyn S. Perez**
s/ **Katelyn S. Perez**
500 Damonte Ranch Parkway, Suite 1056
Reno, NV 89521

Compared **mt/ bk**

Protested

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