Permit No. 74807

THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:	**RIGHTWAY INVESTMENTS SMITH VALLEY, LLC**
Source:	**UNDERGROUND**
Basin:	**SMITH VALLEY**
Manner of Use:	**IRRIGATION AND DOMESTIC**
Period of Use:	**JANUARY 1ST THROUGH DECEMBER 31ST**
Priority Date:	**02/12/1976**

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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 the waters of an underground source as heretofore granted under Permit 68780 is issued subject to the terms and conditions imposed in said Permit 68780 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water 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 total combined duty of water under Permits 68767, 68768, 68770, 68771, 68772, 68773, 68774, 68776, 68777, 69415, 69416, 69417, 69418, 71051, 71052, 71054, 71055, 71056, 71057, 71058, 72979, 74804, 74805, 74806, 74807, 74808, 74809 and 77139 shall not exceed 7801.67 acre-feet annually for the irrigation of 1909.36 acres within the described place of use.

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 are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 2.93 cubic feet per second or 213.16 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**February 12 2016**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**February 12 2019**
Map in support of proof of beneficial use shall be filed on or before:	**February 12 2019**

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 12th day of **February, 2014**

J. K. P.E.

State Engineer

No. 74807

AMENDED
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 25 2006

Returned to applicant for correction OCT 11 2006

Corrected application filed DEC 08 2006

Map filed DEC 08 2006 under 74804

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The applicant **RightWay Investments Smith Valley, LLC** hereby makes application for permission to change the **Point of Diversion and Place of Use** of water heretofore appropriated under **Permit 68780**

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1. The source of water is **Underground**

2. The amount of water to be changed **2.93 cfs – 213.16 AFA**

3. The water to be used for **Irrigation and Domestic Uses**

4. The water heretofore permitted for **Irrigation and Domestic Uses**

5. The water is to be diverted at the following point **NW¼ NW¼ Section 30, T13N, R24E, MDM. or at a point from which the NW corner of said Section 30 bears N. 64° 44' 46" W. a distance of 127.90 feet – BD Well**

6. The existing permitted point of diversion is located within **NE¼ NW¼ Section 26, T13N, R23E, MDM. or at a point from which the NW corner of said Section 26 bears N. 85° 39' 29" W. a distance of 1,363.23 feet – MIA Well Site**

7. Proposed place of use **74807 Refer to Exhibit "A"**

8. Existing place of use **is portions of the following: NW¼ and N½ SW¼ Section 3, and the NE¼ SE¼ Section 4, T 12N, R 23E, MDM.; NE¼ and E½ NW¼, NE¼ SW¼ and the NW¼ SE¼ and the S½ SW¼ Section 34, T13N, R23E, MDM.; N½ N½ and the SW¼ NW¼ Section 35, T13N, R23E, MDM.; All of Section 26, T13N, R23E, MDM.; SE¼ SW¼, S½ NE¼ and the SE¼ Section 27, T13N, R23E, MDM.**

9. Use will be from **January 1st** to **December 31st** of each year.

10. Use was permitted from **January 1st** to **December 31st** of each year.

11. Description of proposed works **Drilled well, pump and distribution system**

12. Estimated cost of works **$25,000**

13. Estimated time required to construct works **5 years**

14. Estimated time required to complete the application of water to beneficial use **10 years**

15. Remarks:

By **s/ Michael D Buschelman**
Michael D. Buschelman
P.O. Box 51371
Sparks, NV 89435-1371

Compared **gkl/** SC

Protested

AMENDED EXHIBIT "A"

Applications to Change Nos. 74804 through 74809, inclusive

ITEM NO. 7

PROPOSED PLACE OF USE

T13N, R24E	**SECTION 19 -**	**SW1/4, NW1/4SE1/4, S1/2SE1/4;**
	SECTION 30 -	**N1/2, N1/2S1/2;**
T13N, R23E	**SECTION 24 -**	**SE1/4, SE1/4SW1/4;**
	SECTION 25 -	**NW1/4NW1/4, S1/2NW1/4, NE1/4, SW1/4, W1/2SE1/4;**
	SECTION 26 -	**ALL;**
	SECTION 27 -	**S1/2NE1/4, SE1/4, SE1/4SW1/4;**
	SECTION 34 -	**E1/2NW1/4, NE1/4, NW1/4SE1/4, NE1/4SW1/4, S1/2SW1/4;**
	SECTION 35 -	**N1/2N1/2, SW1/4NW1/4;**
T12N, R23E	**SECTION 3 -**	**NW1/4, N1/2SW1/4;**
	SECTION 4 -	**PORTION OF NE1/4SE1/4.**

Refer to Lyon County Assessors Parcel Numbers:

10-011-03	10-011-04	10-011-10	10-011-11
10-011-12	10-011-13	10-011-14	10-011-15
10-011-16	10-011-17	10-011-18	10-011-19
10-011-20	10-011-21	10-011-22	10-011-23
10-011-24	10-011-25	01-011-26	10-011-27
10-011-32	10-011-34	10-011-35	10-011-37