Permit No. 74922

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:	**LYON COUNTY**
Source:	**UNDERGROUND**
Basin:	**DAYTON VALLEY**
Manner of Use:	**QUASI-MUNICIPAL**
Period of Use:	**January 1st to December 31st**
Priority Date:	**04/20/1972**

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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, place and manner of use of the waters of an underground source as heretofore granted under Permit 70116 issued subject to the terms and conditions imposed in said Permit 70116 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 a quarterly basis within 15 days after the end of each calendar quarter.

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 49483, 49486, Certificate 14718; Permits 50361, 56593, Certificate 14706; Permit 58931, Certificate 14719; Permits 58932, 58933, Certificate 14720; Permits 58934, 62937, 62938, Certificate 15662; Permits 62939, 62940, 63626, 63628, 63630, 63632, 63633, 64128, 64957, 66427, 68155, 68156, 68196, 68197, 68198, 68708, 68737, 69243, 69244, 69245, 70040, 70041, 70042, 70693, 70846, 71379, 71476, 71477, 71536, 71537, 71688, 71856, 71857, 71872, 71873, 72603, 72773, 72774, 72775, 72914, 72931, 72932, 72933, 73157, 73158, 73183, 73393, 73394, 73473, 73474, 73490, 73491, 73992, 74283, 74284, 74285, 74286, 74369, 74370, 74427, 74434, 74562, 74569, 74612, 74922, 75101, 75102, 75103, 75104, 75157, 75159, 75160, 75277, 75366, 75367 and 76525 shall not exceed 9,048.82 acre-feet annually.

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

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit. Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

This permit is approved for the entire 2.02 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 1.62 acre-feet, can be diverted annually. Additional diversion up to the total 2.02 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 1.62 acre-feet to be exceeded..

This permit is issued subject to the terms and conditions set forth in State Engineer's Ruling #5823 dated March 18, 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 0.0084 cubic feet per second or 2.02 acre-feet annually.**

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

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **September 1, 2012**

Map in support of proof of beneficial use shall be filed on or before: **N/A**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 25th day of **September**, A.D. **2008**

Tracy Taylor P.E.

State Engineer

Completion of work filed August 24, 2007 under 73491

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

No. 74922

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 **OCT 18 2006**

Returned to applicant for correction

Corrected application filed

Map filed **FEB 23 1981 under 43084**

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The applicant **LYON COUNTY** hereby makes application for permission to change the **Point of diversion Place of use Manner of use** of water heretofore appropriated under **Permit 70116**

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

2. The amount of water to be changed **0.0084 cfs 2.02 AFA**

3. The water to be used for **Quasi-Municipal**

4. The water heretofore permitted for **Irrigation & Domestic**

5. The water is to be diverted at the following point **NE¼ NE¼ Section 32 T. 17 N., R. 22 E., M.D.B.&M., or at a point from which the NE corner of said Section 32 bears N. 11° 54' 00" E., a distance of 901.0 feet. (DVE Well #3)**

6. The existing permitted point of diversion is located within **NW¼ NE¼ Section 4, T. 17 N., R. 23 E., M.D.B.&M., or at a point from which the NE corner of said Section 4 bears N. 55° 28' 47" E., a distance of 1947.50 feet.**

7. Proposed place of use **PLEASE REFER TO EXHIBIT "A"**

8. Existing place of use **Portion of the SE¼ NW¼ NE¼ Section 4, T. 17 N., R. 23 E., M.D.B.&M., being APN 15-381-07. (10 acres)**

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 **Existing drilled and cased well, pump, motor and distribution system.**

12. Estimated cost of works **$20,000.00**

13. Estimated time required to construct works **Existing well drilled under Permit 43084.**

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

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15. Remarks: **For the Proposed Point of Diversion, please refer to map filed in support of Application 43084. For Existing Point of Diversion and Place of Use, please refer to map filed in support of Application 70116. This right is being transferred to Lyon County for future will-serve requirements for Jack Ruppert on A.P.N. 19-264-03 & -04.**

By **CHUCK ZIMMERMAN**
s/ **Chuck Zimmerman**
3264 Goni Road, Ste. 153
Carson City, NV 89706

Compared **mt/bk**

Protested Yes
Pro. Overruled 3/18/2008 See Ruling #5823

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EXHIBIT "A"

Question #7 – Proposed Place of Use

T.16 N., R.20 E., M.D.B. & M.:
All of Section 24; E½, those portions of NW¼ and SW¼ Section 25 lying within Lyon County, the portion of the NE¼ Section 36 lying within Lyon County.

T. 16 N., R. 21 E., M.D.B. & M.:
All of Section 1; SE¼ SE¼ Section 2; All of Section 11; All of Section 12; All of Section 13; All of Section 14; All of Section 19; All of Section 20; All of Section 23; All of Section 24; All of Section 26; All of Section 27; All of Section 28; All of Section 29; All of Section 30; N½, the portion of the S½ Section 31 lying within Lyon County; N½ Section 32; N½ Section 33; N½ Section 34; N½ Section 35.

T. 16 N., R. 22 E., M.D.B. & M.:
All of Section 3; All of Section 4; All of Section 5, All of Section 6; All of Section 7; All of Section 8; All of Section 9; N½ Section 16; All of Section 17; All of Section 18; All of Section 19; All of Section 20.

T. 17 N., R. 21 E., M.D.B. & M.:
SE¼, those portions of the SW¼, NW¼ and NE¼ Section 36 lying within Lyon County.

T. 17N., R. 22 E., M.D.B. & M.:
The portion of the S½ Section 21 lying within Lyon County; S½, the portion of the N½ Section 22 lying within Lyon County; All of Section 27; All of Section 28 lying within Lyon County; SE¼, those portions of the SW¼, NW¼, NE¼ Section 29 lying within Lyon County; the portion of the S½ Section 30 lying within Lyon County; S½, NE¼, the portion of the NW¼ Section 31 lying within Lyon County; All of Section 32; All of Section 33; All of Section 34; All of Section 35.

In addition to the above described Place of Use, it is the intent of these applications to provide water service to the entire Lyon County/Dayton Utilities service area as determined by the Lyon County Public Works Director. If in the future, some other entity is determined to have that authority, the Place of Use of this permit shall be pursuant to that authority's determination of the service area.