



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: SMILEY BEEF, LLC
Source: LAMOILLE CREEK
Basin: LAMOILLE VALLEY
Manner of Use: IRRIGATION
Period of Use: May 1st to September 1st
Priority Date: 04/24/1911

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 place of use of a portion of the waters of Lamoille Creek as heretofore granted under Permit 3530, Certificate 656, is issued subject to the terms and conditions imposed in said Permit 3530, Certificate 656 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change 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 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 0.08242 cubic feet per second or 20.0 acre-feet seasonally.

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

December / , 2010

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

December / , 2012

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

December / , 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 1st day of December, A.D. 2009

Tracy Taylor P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

AMENDED **NO. 75296**
**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 JAN 29 2007

Returned to applicant for correction FEB 08 2007

Corrected application filed FEB 15 2007

Map filed AUG 04 1922 UNDER 3530

The applicant **John Gourley**, hereby makes application for permission to change the **Place of Use of a Portion** of water heretofore appropriated under **Permit No. 3530, Certificate No. 656**

1. The source of water is **Lamoille Creek**
2. The amount of water to be changed **0.08242 cfs 20.000 acre feet per season**
3. The water to be used for **Irrigation and Domestic**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point in the **West part NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, T.32N., R.58E., M.D.B.&M. (AKA: Juett Ditch)**
6. The existing permitted point of diversion is located within **unchanged**
7. Proposed place of use **Portions of SW $\frac{1}{4}$ of Section 13, T.33N., R.57 E., M.D.B&M. (8.242 acres to be irrigated within the Proposed Place of Use)**
8. Existing place of use **Portions of W $\frac{1}{2}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24, T.33N., R.57E., M.D.B.&M. (6.137 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 2.105 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ for a total of 8.242 acres in Section 24, T.33N., R.57E., M.D.B.&M., to be removed from irrigation)**
9. Use will be from **May 1st to September 1st** of each year.
10. Use was permitted from **May 1st to September 1st** of each year.
11. Description of proposed works. **Ditches and natural channels.**
12. Estimated cost of works **\$5,000.00**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **Please use the map that accompanied Permit 3530, Certificate No. 656, to illustrate the existing point of diversion.**

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

Compared NS/dl

Protested _____