



## 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: JACKRABBIT PROPERTIES, LLC  
Source: UNDERGROUND  
Basin: SMOKE CREEK DESERT  
Manner of Use: IRRIGATION  
Period of Use: January 1st to December 31st  
Priority Date: 04/22/1999

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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 65077 is issued subject to the terms and conditions imposed in said Permit 65077 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. 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 total combined duty of water under Vested Claims V09063, V09064, V09083, V09084 and Permits 64968, 64969, 65078 and 75403 shall not exceed 6,332 acre-feet annually for the irrigation of 1,583 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 water issued under this permit is totally supplemental to the vested claims and to Permits 64968 and 64969.

The approval of this permit totally abrogates any right to divert water from the well under the base right 65077.

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 1.4 cubic feet per second or 1013.6 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:

August 15, 2010

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

August 15, 2012

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

August 15, 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 15th day of August, A.D. 2008

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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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

THIS SPACE IS FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAR 01 2007

Return to applicant for correction

Corrected application filed MAR 07 2007 Map filed MAR 12 2007

The applicant Jackrabbit Properties, LLC, a Nevada limited liability company

4005 Quail Rock Lane of Reno

NV 89511, hereby make \$ application for permission to change

the Point of Diversion and Place of Use

of water heretofore appropriated under Permit 65077

1. The source of water is underground
2. The amount of water to be changed 1.4 c.f.s., not to exceed 1013.6 acre-feet annually
3. The water to be used for Irrigation
4. The water heretofore used for Irrigation
5. The water is to be diverted at the following point NE ¼ NW ¼, Section 8, T.31N., R.18E., M.D.B. & M. or at a point from which the NW corner of Section 5, said township & range bears N. 18° 56' 46" W., a distance of 6,019.53'
6. The existing point of diversion is located within NW¼ SE ¼, Section 24, T.32N. R.17E., M.D.B. & M. or at a point from which the SE Corner of Section 31, T.32N., R.18E., M.D.B. & M. bears S. 28° 49' 45" E., a distance of 14,237.32 feet. Refer to map filed under Permit 64968 illustrating existing point of diversion.

- 7. Proposed place of use S 1/2 SW 1/4, Section 5; NE 1/4 NE 1/4, Section 7; W 1/2 SW 1/4 NE 1/4, Section 8; SW 1/4 SW 1/4, Section 9; W 1/2 SW 1/4, Section 15; NW 1/4 NW 1/4, S 1/2 N 1/2, NE 1/4 SE 1/4, Section 16; NE 1/4 NE 1/4, Section 17; all in T.31N. R.18E., M.D.B. & M.
- 8. Existing place of use See Attachment "A" and map filed under Permit 64968
- 9. Use will be from January 1 to December 31 of each year.
- 10. Use permitted from January 1 to December 31 of each year.
- 11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications or your diversion of storage works.) A drilled and cased well equipped with a motor, pump & meter and distribution system
- 12. Estimated cost of works \$125,000.00
- 13. Estimated time required to construct works Three (3) years
- 14. Estimated time required to complete the application of water to beneficial use Five (5) years
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.  
This application is being filed to change the point of diversion of the Applicant's water rights to a location more suitable for production. Water will continue to be commingled with existing rights in accordance with the permit terms and the total combined duty will not be exceeded.

(775) 352-7800  
Phone number

BY Gregory M. Bilyeu  
Print or type name clearly

[Signature]  
Signature, applicant or agent

9480 Double Diamond Parkway, #200  
Street and No., or PO Box No

Reno, NV 89521  
City, State, Zip Code No.

2007 MAR - 7 AM 11:14

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION.

Protested on 5/7/2007 by Pyramid Lake Paiute Tribe  
Pro..Overruled 4/16/2008 See Ruling #5840

## Place of Use

## Section 24, T.32N., R.17E., M.D.B. &amp; M.

Portions of the SE  $\frac{1}{4}$   
 Portions of the E  $\frac{1}{4}$  SW  $\frac{1}{4}$   
 Portions of the S  $\frac{1}{4}$  NE  $\frac{1}{4}$   
 Portions of the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$   
 Portions of the E  $\frac{1}{4}$  NW  $\frac{1}{4}$

## Section 25, T.32N., R.17E., M.D.B. &amp; M.

Portions of the E  $\frac{1}{4}$  SE  $\frac{1}{4}$   
 Portions of the NE  $\frac{1}{4}$

## Section 36, T.32N., R.17E., M.D.B. &amp; M.

Portions of the E  $\frac{1}{4}$  NE  $\frac{1}{4}$

## Section 30, T.32N., R.18E., M.D.B. &amp; M.

Portions of the SW  $\frac{1}{4}$  SE  $\frac{1}{4}$   
 Portions of the SW  $\frac{1}{4}$   
 Portions of the S  $\frac{1}{4}$  NW  $\frac{1}{4}$

## Section 31, T.32N., R.18E., M.D.B. &amp; M.

Portions of the S  $\frac{1}{4}$  SE  $\frac{1}{4}$   
 Portions of the NW  $\frac{1}{4}$ , SE  $\frac{1}{4}$   
 Portions of the SW  $\frac{1}{4}$   
 Portions of the W  $\frac{1}{4}$  NE  $\frac{1}{4}$   
 Portions of the NW  $\frac{1}{4}$

## Section 5, T.31N., R.18E., M.D.B. &amp; M.

Portions of the S  $\frac{1}{4}$  SW  $\frac{1}{4}$   
 Portions of the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$

## Section 6, T.31N., R.18E., M.D.B. &amp; M.

Portions of the SE  $\frac{1}{4}$   
 Portions of the NE  $\frac{1}{4}$  SW  $\frac{1}{4}$   
 Portions of the NE  $\frac{1}{4}$   
 Portions of the E  $\frac{1}{4}$  NW  $\frac{1}{4}$   
 Portions of the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$

## Section 7, T.31N., R.18E., M.D.B. &amp; M.

Portions of the E  $\frac{1}{4}$  NE  $\frac{1}{4}$   
 Portions of the E  $\frac{1}{4}$  SE  $\frac{1}{4}$

## Section 8, T. 31N., R.18E., M.D.B. &amp; M.

Portions of the SE  $\frac{1}{4}$   
 Portions of the SW  $\frac{1}{4}$   
 Portions of the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$   
 Portions of the NW  $\frac{1}{4}$

## Section 9, T. 31N., R.18E., M.D.B. &amp; M.

Portions of the SW  $\frac{1}{4}$  SW  $\frac{1}{4}$

## Section 15, T. 31N., R.18E., M.D.B. &amp; M.

Portions of the E  $\frac{1}{4}$  SW  $\frac{1}{4}$   
 Portions of the NW  $\frac{1}{4}$  SW  $\frac{1}{4}$

## Section 16, T. 31N., R.18E., M.D.B. &amp; M.

Portions of the NE  $\frac{1}{4}$  SE  $\frac{1}{4}$   
 Portions of the S  $\frac{1}{4}$  NE  $\frac{1}{4}$   
 Portions of the S  $\frac{1}{4}$  NW  $\frac{1}{4}$   
 Portions of the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$

## Section 17, T. 31N., R.18E., M.D.B. &amp; M.

Portions of the E  $\frac{1}{4}$  NE  $\frac{1}{4}$   
 Portions of the NW  $\frac{1}{4}$  NE  $\frac{1}{4}$

The place of use is limited to 2000 acres within the above-described subdivisions.