



TEMPORARY
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: F.M. FULSTONE, INC.
Source: UNDERGROUND
Basin: SMITH VALLEY
Manner of Use: IRRIGATION
Period of Use: March 1st to November 15th
Priority Date: 04/07/1961

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 temporary permit to change the place of use of a portion of the waters of an underground source as heretofore granted under Permit 19734, Certificate 6434 is issued 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 will be installed on the well discharge. Measurements must be kept of the water used on the place of use of Permit 19734, Certificate 6434 and on the place use of Temporary Permit 75485-T. The totalizing meter must be installed before any use of the water begins. 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 temporary 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 19734, Certificate 6434 and Temporary Permits 75484-T and 75485-T shall not exceed 2,413.60 acre-feet annually. The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Approval of Temporary Permit 75485-T is subject to any necessary approvals from the Walker River Irrigation District and appropriate ditch companies. Any water diverted from the well in exchange for water diverted from the West Walker River shall be assessed a 10 percent reduction to account for conveyance loss. Coordination must be made with Walker River Irrigation District as to when the well is pumped and as to the amount.

The total combined diversion rate under Permit 19734, Certificate 6434, Temporary Permits 75484-T and 75485-T shall not exceed 5.4 second feet.

With the issuance of Temporary Permits 75484-T and 75485-T the following lands under Permit 19734, Certificate 6434 and Permit 12372, Certificate 3667 shall not be irrigated from those permits: 28.6 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$; 28.6 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$; 20.6 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$; 12.2 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$; 40.0 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$; 14.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$; 14.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$; 28.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$; 2.3 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$; and 28.3 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ all in Section 35, T.11N., R.23E., M.D.B.&M. Records of the amount of water pumped from this well shall be made at such time the well is pumping and to which location within the proposed place of use this water is being delivered and the amount delivered. This report shall be submitted on a monthly basis no later than 10 days after the end of each month.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on October 31, 2007 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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

(Continued on Page 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.7 cubic feet per second, but not to exceed 433.6 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:

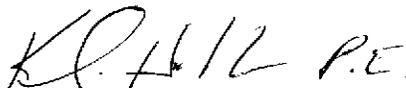
N/A

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 17 day of May, A.D. 2007



for State Engineer

TEMPORARY
TEMPORARY

Serial No. 75485T

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 FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAR 26 2007

Returned to applicant for correction.....

Corrected application filed..... Map filed MAR 26 2007

The applicant.....F.M. Fulstone, Inc.....

.....P.O. Box 34..... of Smith.....
Street and No. or P.O. Box No. City or Town

.....Nevada.....89430....., hereby make...s... application for permission to change the
State and Zip Code No.

.....POD.. POU. MOU.. of a portion.

of water heretofore appropriated under..... Permit 19734 C-6434.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree

and identify right in Decree.
.....
.....

1. The source of water is.....Underground Water-Well.....
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed.....2.7 cfs 433.60 afa.....
Second foot, acre-foot One second foot equals 448.83 gallons per minute.

3. The water to be used for.....Irrigation.....
Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.

4. The water heretofore used for.....Irrigation.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following point.....in the SW¼ NE¼ Section 2, T.10 N., R.. 23 E., MDB & M.....
Describe as being within a 40-acre subdivision of public survey and by course
..... or at a point from which the N ¼ corner of said Section 2 bears N. 6° 34' W. a distance of 2013.20 feet
and distance to a section corner, if on unsurveyed land, it should be stated.

6. The existing point of diversion is located within...no change.....
If point of diversion is not changed, do not answer.

107-64

late
3/22

7. Proposed place of use.....34.5 NE 1/4, SE 1/4, 5.0 NW 1/4 SE 1/4, ~~SE~~, 32.5 ac, SW 1/4, NE 1/4, 30.0 ac SE 1/4,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
.....NE 1/4, 6.4 ac, SE 1/4, NW 1/4, all in Section 12, T. 10. N, R. 23 E (108.4 ac. total).....

8. Existing place of use.....See Schedule A, 68620 T, copy attached to this temporary change and accompanying
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of
..... temporary change will transfer all that acreage in the existing POU under 68620 - T.....
use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from.....March 1, 2007.....to.....November 15, 2007.....of each year.
Month and Day Month and Day

10. Use permitted from.....January 1st.....to.....December 31st.....of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans
and specifications of your diversion or storage works.).....Existing well drilled under permit 19734 C-6434.....
State manner in which water is to be diverted, i.e. diversion structure, ditches,
pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works.....Complete.....

13. Estimated time required to construct works.....Complete.....
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use.....1 month.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual
consumptive use.
.....Because of the extreme drought (snowpack < 40% Avg) an emergency exists. This temporary change is much.....
.....like 70914-T, except at the POU. For a map of the proper POU, use map to accompany this application.....
.....For a map of the existing POU, use map on file under 68620-T. This underground well will supplement.....
.....Walker River Deceed land or POU map.....

.....(775)885-2101.....
Phone No.

By.....R. Michael Turnipsced.....
Print or type name clearly
R. Michael Turnipsced
Signature, applicant or agent

.....204 North Minnesota Street.....
Street and No., or P.O. Box No.

.....Carson City, Nevada 89703.....
City, State, Zip Code

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

STATE ENGINEERS OFFICE

2007 MAR 26 PM 1:55

RECEIVED

\$100 FILING FEE MUST ACCOMPANY APPLICATION

8. EXISTING PLACE OF USE – SCHEDULE A

ACRES	QTR of QTR	SEC	T-N	R-E	MDB&M
28.6	NE NE	35	11	23	
28.6	SE NE	35	11	23	
20.6	NE SE	35	11	23	
12.2	NW SE	35	11	23	
40.0	NW NW	35	11	23	
14.0	NE NW	35	11	23	
14.0	SW NW	35	11	23	
28.0	SW SW	35	11	23	
2.3	SE SW	35	11	23	
<u>28.3</u>	NW SW	35	11	23	
216.6 TOTAL ACRES					

866.4 AF