



**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:** KELLOGG 10, LLC  
**Source:** UNDERGROUND  
**Basin:** PAHRUMP VALLEY  
**Manner of Use:** IRRIGATION  
**Period of Use:** January 1st to December 31st  
**Priority Date:** 02/14/1963

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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 a portion of the waters of an underground source as heretofore granted under Permit 62190, Certificate 15006, is issued subject to the terms and conditions imposed in said Permit 62190, Certificate 15006 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.

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 75561, 75562, and 75563, having the same point of diversion and a comingled place of use, shall not exceed 0.0738 cubic feet per second and 25.0 acre-feet annually.

The total combined duty of water under Permits 20673, 75561, 75562, and 75563, having the same point of diversion, shall not exceed 0.5338 cubic feet per second and 125.5 acre-feet annually for the irrigation of 25.1 acres of the 28.13 acres of the parcels identified by the Nye County Assessor as APN 35-331-68 and 35-331-70.

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

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

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 0.0059 cubic feet per second or 4.252 acre-feet annually.

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

December 28, 2008

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

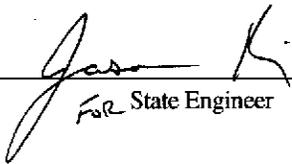
December 28, 2010

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

December 28, 2010

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 28<sup>th</sup> day of December, A.D. 2007

  
\_\_\_\_\_  
For State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

llb

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 APR 12 2007
Returned to applicant for correction
Corrected application filed Map filed APR 12 2007 under 75558

The applicant KELLOGG IO, LLC
777 N. RAINBOW BLVD. STE #250 of LAS VEGAS
NEVADA 89107, hereby make application for permission to change the

Point of diversion Place of use Manner of use of a portion
of water heretofore appropriated under PERMIT# 62190 CERT. # 15006
(SUPPLEMENTAL TO PERMIT# 49716 CERT# 15005 AND
PERMIT# 62191 CERT. # 15007)

ADD P.O. BOX OF A PORTION PER PHONE CALL REQUEST FROM RAN PHILLIPS 4/17/07 JA

- 1. The source of water is UNDERGROUND SOURCE
2. The amount of water to be changed .0059 CFS 4.252 AFA 5.0 ACRES
3. The water to be used for IRRIGATION AND DOMESTIC
4. The water heretofore used for IRRIGATION AND DOMESTIC
5. The water is to be diverted at the following point WITHIN THE NE 1/4 OF THE NE 1/4 OF SECTION 16, T. 20S., R. 53E., M.D.B. & M., NYE COUNTY, NEVADA
6. The existing point of diversion is located within THE NW 1/4 OF THE SE 1/4 OF SECTION 13

162 NY

75562

7. Proposed place of use. WITHIN THE NE 1/4 OF THE NE 1/4 OF SECTION-16  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
T. 20 S., R. 53 E., M.D.B.E.M., NYE COUNTY, NEVADA BEING  
A.P.N. # 35-331-68 AND 35-331-70. CONSISTING OF  
28.174 ACRES

8. Existing place of use. 5 ACRES TO BE REMOVED WITHIN GOV'T.  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.  
LOT # 4 OF THE SE 1/4 OF SECTION-13, T. 21 S., R. 53 E.,  
M.D.B.E.M., NYE COUNTY, NEVADA

9. Use will be from JANUARY 1<sup>ST</sup> to DECEMBER 31<sup>ST</sup> of each year.  
Month and Day Month and Day

10. Use permitted from JANUARY 1<sup>ST</sup> to DECEMBER 31<sup>ST</sup> 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 12" CASING DRILLED IRP. WELL,  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
MOTOR, PUMP, PIPELINE AND WHEELS - PROPOSED TOTALIZING METER AND ADDITIONAL  
pipes and flumes or drilled well, pump and motor, etc. PIPELINE.

12. Estimated cost of works. \$ 14,000<sup>00</sup> ORIG COST PLUS NEW METER AND PIPELINE COST.

13. Estimated time required to construct works. 2-YEAR'S - SAME AS ITEM # 11 ABOVE  
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use. 5-YEAR'S

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

RECEIVED  
2007 APR 12 PM 3:57  
STATE ENGINEERS OFFICE

(775) 751-1413  
Phone No.  
CIVIL USE SERVICES, LLC

By RONNIE M. PHILLIPS, AGENT  
Print or type name clearly  
Ronnie M Phillips  
Signature, applicant or agent  
1240 E. STATE STREET, SUITE #101  
Street and No., or P.O. Box No.  
PARSONS, NEVADA 89048  
City, State, Zip Code

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT