THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of applicant:	**ROBERT A. AUSTIN FAMILY TRUST & NFC LAND & CATTLE LLC**
Source:	**UNDERGROUND**
Basin:	**PARADISE VALLEY**
Manner of Use:	**STOCKWATERING**
Period of Use:	**January 1st to December 31st**
Priority Date:	**04/24/2007**

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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 is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If 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 but does not take responsibility for the use of the Federal range.

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 0.0156 cubic feet per second, but not to exceed 11.20 acre-feet annually, or sufficient to water 500 cattle.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **December 16, 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 16, 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 16th day of **December**, A.D. **2008**

for K. Hall P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Serial No. 75638

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office APR 2 4 2007

Returned to applicant for correction

Corrected application filed Map filed APR 2 4 2007

The applicant Robert A. Austin Family Trust and NFC Land & Cattle LLC

(Austin) 939 S. Bridge St. (NFC) P.O. Box 490 of
Street and No. or P.O. Box No. City and Town

Winnemucca, NV 89445 Winnemucca, NV 89446, hereby make s application for permission to appropriate
State and Zip Code No.

the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source.

2. The amount of water applied for is .0155 CFS second feet.
One second foot equals 448.83 gallons per minute.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Stockwatering & Domestic Use
Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kind of animals 500 Head of Cattle

(c) Other use (describe fully under "No. 12. Remarks") Domestic

(d) Power generation:

(1) Horsepower developed

(2) Point of return of water to stream

69 NU

5. The water is to be diverted from its source at the following point within the SW¼ SE¼ of Section 3,
Describe as being within a 40-acre subdivision of public
T.37N., R.39E., M.D.B.&M., or at a point from which the S¼ corner of said
survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
Section 3 bears S 47°10'12" W, 399.0 feet.

6. Place of use SE¼ of Section 3, T.37N., R.39E., M.D.B.&M.
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1st (Month and Day) and end about December 31st (Month and Day) of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) existing well, install pipeline & stock
State manner in which water is to be diverted, i.e. diversion structure,
tank & possible single family dwelling
ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works $25,000.00±

10. Estimated time required to construct works 3 years, there is an existing artisan well,
If well completed, describe works.
no well log exists, condition of well uncertain

11. Estimated time required to complete the application of water to beneficial use 5 years

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

Well may be used for single family dwelling

Desert Mountain Surveying
John H. Milton III, Agent
Type or print name clearly

(775) 623-4414
Phone No.

By John H. Milton III
Signature, applicant or agent

146 West Second Street
Street and No., or P.O. Box No.

Winnemucca, NV 89445
City, State, Zip Code No.

STATE ENGINEERS OFFICE
2007 APR 24 AM 11:38
RECEIVED

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$250 FILING FEE MUST ACCOMPANY APPLICATION