



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: FRANK SETTELMAYER PROPERTIES, LLC
Source: UNDERGROUND
Basin: CARSON VALLEY
Manner of Use: STOCKWATERING
Period of Use: January 1st to December 31st
Priority Date: 01/09/1961

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 permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 19432, Certificate 5417 is issued subject to the terms and conditions imposed in said Permit 19432, Certificate 5417 and with the understanding that no other rights on the source will be affected by the change proposed herein.

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 Permit 19431, Certificate 5416; Permit 19433, Certificate 5418; Permit 20869, Certificate 5783; Permit 20870, Certificate 5784; Permit 30401, Certificate 9824; Permit 31890, Certificate 10377 and 76134 shall not exceed 11.29 acre-feet annually.

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.

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 or 11.29 acre-feet annually, or sufficient to water 500 head of cattle.

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

December 10, 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 10, 2010

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 10th day of December, A.D. 2007

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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 AUG 03 2007

Returned to applicant for correction _____

Corrected application filed _____ Map filed AUG 03 2007

The applicant Frank Settlemeyer Properties, LLC.
P.O. Box 523 of Glenbrook
Street and No. or P.O. Box No. City or Town
Nevada, 89413, hereby makes application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use
of water heretofore appropriated under, Permit #19432 – CERTIFICATE #5417
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
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.0156 cfs, 11.2 AFA
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Stockwater and Domestic - 500 head of cattle & Domestic
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 Stockwater - 500 head of cattle
If for stock state number and kind of animals.

5. The water is to be diverted at the following point The SE1/4 SW1/4 Section 12, T.13N., R.19E.,
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
M.D.M., or at a point from which the W1/4 corner of said Section 12 bears N. 31° 04' W., a
distance of 2,814 feet.

6. The existing point of diversion is located within The NE1/4 NE1/4 Section 14, T.13N., R.19E.,
If point of diversion is not changed, do not answer.
M.D.M., or at a point from which the N1/4 corner of Section 13, T.13N., R.19E., M.D.M.,
bears N. 83° 13' E. a distance of 2,836.12 feet.

105-26
MD

7. Proposed place of use Within the S1/2 SW1/4 Section 12 and the N1/2 NW1/4 Section 13,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

T.13N., R.19E., M.D.B.&M., as shown on the supporting map.

8. Existing place of use NE1/4 NE1/4 Section 14, T.13N., R.19E., M.D.M.
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.

9. Use will be from January 1st to December 31st 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 provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, pump and motor with a distribution system
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 \$30,000

13. Estimated time required to construct works 3 years
If well completed, describe well.

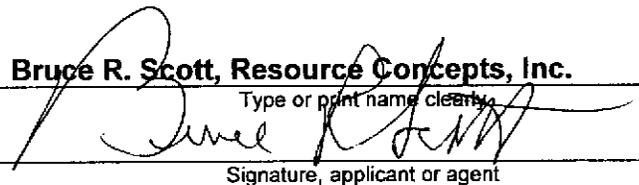
14. Estimated time required to complete the application of water to beneficial use 5 years

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

See attached remarks

Bruce R. Scott, Resource Concepts, Inc.
Type or print name clearly

By


Signature, applicant or agent

340 North Minnesota Street

Street and No., or P.O. Box No.

Carson City, Nevada 89703

City, State, Zip Code No.

STATE ENGINEERS OFFICE

2007 AUG -3 PM 4:02

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment to Application to Change Permit #19432**Item 15. Remarks**

The existing well that serves as the point of diversion for Permit 19432/Certificate 5417 will be capped and abandoned once the new well has been drilled and is operational. In addition to the stock water rights the proposed point of diversion is also to be utilized for domestic purposes within the place of use.

Please use the map on file at the Division of Water Resources under Permit 19431 to support the existing place of use and existing point of diversion.

Please use the included map to support the proposed place of use and point of diversion.