Permit No. 76216

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:	**DESERT HILLS DAIRY, LLC**
Source:	**UNDERGROUND**
Basin:	**MASON VALLEY**
Manner of Use:	**COMMERCIAL**
Period of Use:	**January 1st to December 31st**
Priority Date:	**05/12/1972**

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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 place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 70112 is issued subject to the terms and conditions imposed in said Permit 70112 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 66038, 66039, 66193, 67035, 76215 and 76216 shall not exceed 267.349 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 0.3145 cubic feet per second or 81.657 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**February 22, 2009**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**February 22, 2013**
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 22nd day of **February**, A.D. **2008**

T Taylor, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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Serial No. 76216

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 3 0 2007

Returned to applicant for correction

Corrected application filed Map filed JUN 1 4 1978 under 38330

The applicant Desert Hills Dairy, LLC

350 Campbell Lane (Street and No. or P.O. Box No.) of Yerington (City or Town)

Nevada, 89447 (State and Zip Code No.) hereby make s application for permission to change the

place and manner of use of a portion

of water heretofore appropriated under Permit No. 70112 (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 0.3145 cfs - 81.657 AFA (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Commercial and Domestic (Irrigation, poser, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major)
4. The water heretofore used for Irrigation and Domestic Uses (If for stock, state number and kind of animals.)
5. The water is to be diverted at the following point Lot 7 (SW1/4 SW1/4) Section 6, T14N, R25E, MDM (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.)

   or at a point from which the N1/4 corner of Section 1 T14N, R24E, MDM bears N 28 degrees 13 minutes 25 seconds W, a distance of 5,645.87 feet

   Refer to supporting map under Permit No. 38330
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

   Point of diversion is same as above.

108-LY

7. Proposed place of use

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

w/in the E1/2 SW1/4 & W1/2 SE1/4 Section 1, E1/2 W1/2 & W1/2 E1/2 Section 12,

W1/2 NE1/4 Section 13 T14N, R24E, MDM - Lyon County APN 14-161-01, 02, 03 & 04

MR

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8. Existing place of use **E1/2 NE1/4 Sect. 1 T14N, R24E, MDM; SE1/4 NE1/4 & ~~E1/4~~ SE1/4 Sect. 36 T15N,**

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.

R24E, MDM; W1/2 W1/2 Sect. 6 T14N, R25E, MDM; N1/2 NW1/4 Sect. 7 T14N, R25E, MDM;

S1/2 NW1/4 & SW1/4 Sect. 31 T15N, R25E, MDM - Totaling 20.414 acres

Refer to supporting map under Permit No. 17643

9. Use will be from **January 1st** (Month and Day) to **December 31st** (Month and Day) of each year.

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

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.) **Existing drilled well, pump, motor and 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.

completed under Permit Nos. 65209 and 70112

12. Estimated cost of works **None - Existing works**

13. Estimated time required to construct works **Existing**

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use **6 years**

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

By Michael D. Buschelman

Signature of Agent

Phone No. 775-355-9628

Michael D. Buschelman

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

Post Office Box 51371

City, State, Zip Code No.

Reno, Nevada 89435

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1583A (Rev. 10-95)