Permit No. 76311

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:	**PILOT TRAVEL CENTERS LLC**
Source:	**UNDERGROUND**
Basin:	**WINNEMUCCA SEGMENT**
Manner of Use:	**COMMERCIAL**
Period of Use:	**January 1st to December 31st**
Priority Date:	**11/14/1973**

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 74421 is issued subject to the terms and conditions imposed in said Permit 74421 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 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 26252, Certificate 8879, and Permits 76311 and 76312 shall not exceed 15.90 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.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.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

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.1553 cubic feet per second or 10.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**February 28, 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 28, 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 28th day of **February**, A.D. **2008**

Tracy 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. 76311

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 IS FOR OFFICE USE ONLY

Date of filing in State Engineer's Office SEP 19 2007

Return to applicant for correction

Corrected application filed Map filed OCT 21 1971 under 26252

The applicant Pilot Travel Centers LLC

5508 Lonas Road of Knoxville

TN 37909, hereby make s application for permission to change

the Point of Diversion and Place of Use of a portion

of water heretofore appropriated under Permit 74421

1. The source of water is Underground
2. The amount of water to be changed 0.1553 cfs not to exceed 10.0 acre-feet annually
3. The water to be used for Commercial Purposes
4. The water heretofore used for Commerical Purposes
5. The water is to be diverted at the following point SW ¼ SE ¼, Section 3, T.35N., R.37E., M.D.B. & M., or at a point from which the S ¼ Corner of said Section 3 bears S. 82° W., a distance of 250.0 feet. Please refer to map filed under Permit 26252
6. The existing point of diversion is located within NW ¼ NW ¼, Section 17, T.36N., R.38E., M.D.B. & M., or at a point from which the NW Corner of said Section 17 bears N. 36° 57' W., a distance of 502.0 feet. Please refer to map filed under Permit 74421

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7. Proposed place of use **Portions of the SE ¼ SW ¼ and portions of the SW ¼, SE ¼, Section 3 and portions of the NE ¼ NW ¼, Section 10, all in T.35N., R.37E., M.D.B. & M. Please refer to map filed under Permit 26252**

8. Existing place of use **11 acres within that portion of the W ½ NW ¼, Section 17, T.36N., R.38E., M.D.B. & M. lying west of Highway 95. Please refer to map filed under Permit 74421**

9. Use will be from **January 1** to **December 31** of each year.

10. Use permitted from **January 1** to **December 31** of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications or your diversion of storage works.) **Drilled and cased well equipped with a motor, pump, meter, storage tank & distribution system**

12. Estimated cost of works **$1,000,000.00**

13. Estimated time required to construct works **Five (5) years**

14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**

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

Water being changed by this Application & Application to Change a portion of Permit 74422 will be used in conjunction a proposed truck stop development within the place of use. Water will be co-mingled with rights under Permit 26252. The total combined duty of Applications to Change a portion of Permits 74421 & 74422 shall not exceed 10 acre-feet. Ownership of the base right will be transferred when this application is ready for action.

BY Gregory M. Bilyeu
Print or type name clearly

Signature, applicant or agent

(775) 352-7800
Phone number

9480 Double Diamond Parkway, Suite 200
Street and No., or PO Box No

Reno, NV 89521
City, State, Zip Code No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

$150 FILING FEE MUST ACCOMPANY APPLICATION.

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STATE ENGINEERS OFFICE