Permit No. 76395

THE STATE OF NEVADA
PERMIT TO APPROPRIATE WATER

Name of applicant: WAHOO RANCH, LLC

Source: UNDERGROUND

Basin: NORTH FORK AREA

Manner of Use: IRRIGATION

Period of Use: April 1st to October 31st

Priority Date: 10/28/1994

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 existing rights. 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 amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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 76393 and Permit 76395 shall not exceed 1267.0 acre feet.

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

This permit is issued for the irrigation of 1280 acres within the described place of use. A portion of the proposed place of use has Humboldt River decreed water appurtenant under Claim No. 00576 and as such, water under this permit can only be used on said portion if there is no decreed water available.

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 3.5 cubic feet per second or 1,267.0 acre-feet seasonally and not to exceed a seasonal duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**October 30, 2009**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**October 30, 2011**
Map in support of proof of beneficial use shall be filed on or before:	**October 30, 2011**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 30th day of **October**, A.D. **2008**

Tracy Taylor P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

ORIGINAL Serial No. 76395

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 OCT 1 6 2007

Returned to applicant for correction OCT 2 2 2007

Corrected application filed ..... Map filed OCT 2 9 2007

The applicant Wahoo Ranch, LLC

915 South 770 East (Street and No. Or P.O. Box No) of St. George (City and Town)

Utah 84790 (State and Zip code No.) hereby make ..... application for permission to appropriate 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.) September 6, 2002, Carson City, NV

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 3.5 cfs (One second foot equals 448.83 gallons per minute.) second feet.

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

3. The water to be used for Irrigation (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 1280 acres

   (b) Stockwater, state number and kind of animals .....

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

   (d) Power:

      (1) Horse Power developed .....

      (2) Point of return of water to stream .....

AA-EL

5. The water is to be diverted from its source at the following point SE¼ SE¼ Section 2, T.37N., R57E., MDB&M
Describe as being within a 40-acre subdivision of public

or at a point from which the W¼ corner of Section 11, T37N., R57E., MDB&M bears S59°18'22"W a
survey, and by course and distance to section corner, If on unsurveyed land, it should be so stated.

distance of 5158.70 feet

6. Place of use NW¼ NE¼. (Lot 2), W½ Section 1, E½ Section 2, Section 11, W½ NW¼, NW¼ SW¼
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

Section 12, T.37N., R.57.E, MDB&M

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.) Drilled well, pump, motor and irrigation system
State manner in which water is to be diverted, i.e. diversion structure,

ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works $50,000.00+

10. Estimated time required to construct works 1 year
If well completed, describe works.

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.

The water under this application will be co-mingled with Permit 60617 and decreed water under Proof 00576 Humboldt River Decree. Reports of Conveyance have been submitted to the State Engineer's office on September 10, 2007

TELEPHONE NUMBER

(775)772-0413 (cell) (775)352-7900 (office)

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

By Peter G. Morros, P.W., SWS
Signature, applicant or agent

1455 View Crest Ct.
Street and No., or P.O. Box No.

Reno, NV 89511
City, State, Zip code No.

STATE ENGINEERS OFFICE

$250 FILING FEE MUST ACCOMPANY APPLICATION

2007 OCT 16 PM 2:15

RECEIVED