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:	**ZAHLER ENTERPRISES, INC.**
Source:	**UNDERGROUND**
Basin:	**PLEASANT VALLEY**
Manner of Use:	**QUASI-MUNICIPAL**
Period of Use:	**January 1st to December 31st**
Priority Date:	**07/08/1976**

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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 point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 30382A01 is issued subject to the terms and conditions imposed in said Permit 30382A01 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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

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 from this well under Permits 61267, 61268, 65958, 65959, 66654, 70261 and 76651shall not exceed 468.824 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 permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit. Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

The place of use of water under this permit is limited to Washoe County Assessor Parcels 047-161-06 through 047-161-12.

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 0.0419 cubic feet per second or 5.816 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **N/A**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **August 18, 2018**
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 18th day of **August**, A.D. **2008**

Tracy Taylor, P.E.
State Engineer

Completion of work filed July 12, 2002 under 66654

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Application No. 76651

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 JAN 2 2 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAY 3 1 1995 under 61265

The applicant Zahler Enterprises, Inc.

P.O. Box 7984 (Street Address or P.O. Box) of Incline Village (City or Town)

NV 89452 (State and Zip Code), hereby make(s) application for permission to change the

☒ Point of diversion ☒ Place of use ☐ Manner of use ☐ of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 30382 A01

1. The source of water is Underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 0.0419 cfs, not to exceed 1.895 million gallons annually (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Quasi-Municipal & 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 Quasi-Municipal & Domestic (If for stock, state number and kind of animals.)
5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
   NW ¼ SW ¼, Section35, T.18N., R.19E., M.D.B. & M., or at a point from which the NE Corner of said Section 35 bears N. 52° 20' 00" E., a distance of 6,408.00 feet (Refer to map filed under Application 61265)
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   NW ¼ NW ¼, Section 3, T.17N., R.19E., M.D.B. & M., or at a point from which t he NW Corner of said Section 3 bears N. 13° 43' 21" W., a distance of 435.83 feet (Refer to map filed under Permit 30382)

38-XIA

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

See Attached Exhibit "A" and map filed under Application ~~61265~~ 75116

SNR

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

NW ¼ NW ¼, Section 3, T.17N., R.19E., M.D.B. & M. (Refer to map filed under Permit 30382

9. Proposed use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.

10. Existing use permitted from January 1 (Month and Day) to December 31 (Month and Day) of each year.

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)(State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)
Existing drilled & cased well equipped with pump, motor, meter and distribution system

12. Estimated cost of works Completed

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

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

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)
This application is being filed to change the entire quantity of water under Permit 30382A01 owned by Zahler Enterprises, Inc. into the County operated Mt. Rose water system for future service to Applicant's Galena Gateway project. Upon permitting, water will be banked with Washoe County. The Applicant already has 3.72 AF banked with Washoe County. The Galena Gateway project is a mixed use commercial & townhouse project currently under submittal to Washoe County. Project has a maximum total demand of approximately 19 AF. The existing point of diversion and place of use is located on the Mt. Rose fan within the County's service area.

16. Miscellaneous remarks:
A Report of Conveyance and Abstract of Title for this water was submitted to the State Engineer's office on 7/12/07. This application only changes the uncertificated portion of Permit 30382 which has been further designated by the State Engineer as 30382A01

775-352-7800
Phone No.

gregb@tecreno.com
E-mail

By Gregory M. Bilyeu
Print or type name clearly

Signature, applicant or agent

TEC Civil Engineering Consultants
Company Name

9480 Double Diamond Parkway, Suite 200
Street Address or P.O. Box

Reno, NV 89521
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

AMENDED

76651

Sec

EXHIBIT "A"
PROPOSED PLACE OF USE

DIVISION	SECTION	T-N	R-E	
ALL	1 – 5	18	18	M.D.B.& M.
E ½	6 & 7	18	18	M.D.B.& M.
ALL	8 – 17	18	18	M.D.B.& M.
E ½	18 & 19	18	18	M.D.B.& M.
ALL	20 – 29	18	18	M.D.B.& M.
E ½	30 & 31	18	18	M.D.B.& M.
ALL	32 – 36	18	18	M.D.B.& M.
ALL	1 – 5	19	18	M.D.B.& M.
E ½	6 & 7	19	18	M.D.B.& M.
ALL	8 – 17	19	18	M.D.B.& M.
E ½	18 & 19	19	18	M.D.B.& M.
ALL	20 – 29	19	18	M.D.B.& M.
E ½	30 & 31	19	18	M.D.B.& M.
ALL	32 – 36	19	18	M.D.B.& M.
ALL	1 – 5	20	18	M.D.B.& M.
E ½	6 & 7	20	18	M.D.B.& M.
ALL	8 – 17	20	18	M.D.B.& M.
E ½	18 & 19	20	18	M.D.B.& M.
ALL	20 – 29	20	18	M.D.B.& M.
E ½	30 & 31	20	18	M.D.B.& M.
ALL	32 – 36	20	18	M.D.B.& M.
ALL	1 – 5	21	18	M.D.B.& M.
E ½	6 & 7	21	18	M.D.B.& M.
ALL	8 – 17	21	18	M.D.B.& M.
E ½	18 & 19	21	18	M.D.B.& M.
ALL	20 – 29	21	18	M.D.B.& M.
E ½	30 & 31	21	18	M.D.B.& M.
ALL	32 – 36	21	18	M.D.B.& M.
ALL	1 – 36	17	19	M.D.B.& M.
ALL	1 – 36	18	19	M.D.B.& M.
ALL	1 – 36	19	19	M.D.B.& M.
ALL	1 – 36	20	19	M.D.B.& M.
ALL	1 – 36	21	19	M.D.B.& M.
ALL	5 & 6	16	20	M.D.B.& M.
ALL	1 – 36	17	20	M.D.B.& M.
ALL	2 – 35	18	20	M.D.B.& M.
W ½	36	18	20	M.D.B.& M.
ALL	1 – 12	19	20	M.D.B.& M.
N ½	13	19	20	M.D.B.& M.
ALL	14 – 23	19	20	M.D.B.& M.
ALL	26 – 35	19	20	M.D.B.& M.
ALL	06, 07 & 18	19	21	M.D.B.& M.
ALL	1 – 36	20	20	M.D.B.& M.
ALL	1 – 36	21	20	M.D.B.& M.
ALL	1 – 36	20	21	M.D.B.& M.
ALL	1 – 36	21	21	M.D.B.& M.

See supporting map on file under Application No. 75116.