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:	**SAMUEL K. HENRIOD AND CLELIA J. HENRIOD**
Source:	**UNDERGROUND**
Basin:	**STEPTOE VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**05/14/1991**

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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 of use of the waters of an underground source as heretofore granted under Permit 43794 is issued subject to the terms and conditions imposed in said Permit 43794 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 76817, 76818, 76819, 76820, 76821 and 76822 shall not exceed 2,393.72 acre-feet annually for the irrigation of 598.43 acres within the described place of use.

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.

(Continued on Page 2)

Permit No. 76822

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 2.4 cubic feet per second or 360.0 acre-feet annually**.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **January 13, 2010**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **January 13, 2014**

Map in support of proof of beneficial use shall be filed on or before: **January 13, 2014**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of **January**, A.D. **2009**

for R. Hall P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Application No. 76822

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 MAR 17 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAR 17 2008 under 76817

The applicant Samuel K. Henriod and Clelia J. Henriod

HC33 Box 33897 (Street Address or P.O. Box) of Ely (City or Town)

Nevada 89301 (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 43794

1. The source of water is Underground (Name of stream, lake, underground, spring or other sources.)

2. The amount of water to be changed 2.4 cfs 360.00 acre feet (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)

3. The water to be used for Irrigation and 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 Irrigation and 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 so stated.)

SE1/4 SE1/4 of Section 32, T.26 N., R.65 E., M.D.B. & M., at a point from which the Southeast corner of said Section 32 bears S 45° 00' 00" E, 1700.00 feet. Please not that the map and original application show the location of the well under permit 43794 as being located in the SE1/4 SE1/4 of Section 32. The transcribed book record shows the location being in the SE1/4 SW1/4 of Section 32 which is a typographical error.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer)

Same as proposed

179-MP

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
W1/2 SE1/4, SE1/4 SE1/4 of Section 32, NW1/4, S1/2 of Section 33, T.26 N., R.65 E., M.D.B. & M.,
Lot 3, Lot 4, SW1/4 of Section 5, SE1/4 SE1/4 of Section 6, T.25 N., R.65 E., M.D.B. & M.
90.00 acres at 4 acre feet per acre to be irrigated within the proposed place of use.
(Please See Attached Remarks)

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.)
W1/2 SE1/4, SE1/4 SE1/4 of Section 32, T.26 N., R.65 E., M.D.B. & M.
120.00 acres at 3 acre feet per acre within the existing place of use to be removed from irrigation.
(Please See Attached Remarks)

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

10. 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.
Drilled well, pump, motor, pipelines and sprinkler systems

12. Estimated cost of works $10,000

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. 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)
Please See Attached Remarks in explanation of the proposed project.

16. Miscellaneous remarks:

(775) 738-4053
Phone No.

remorley@frontiernet.net
E-mail

By Robert E. Morley
Print or type name clearly

Robert E. Morley
Signature, applicant or agent

High Desert Engineering, LLC
Company Name

640 Idaho Street
Street address or P.O. Box

Elko, Nevada 89801
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Question 15 – Page 1
Additional remarks in support of Applications to Change:
Permit 22287, Certificate 7796, Permit 22288, Certificate 7797,
Permit 24224, Certificate 8552, Permit 24225, Certificate 8553,
Permit 43793 and Permit 43794

The wells under the above referenced permits will not produce sufficient amounts of water to fully irrigate the permitted acreage on an individual basis and within the permitted places of use efficiently. The applicant intends to physically connect, with pipelines, the wells under permits 22287, 24224, 24225, 43793, and 43794. The waters under these permits and subsequent change applications will be co-mingled to irrigate a total of 598.43 acres within the proposed place of use as stated on the attached change applications for these permits. The well under permit 22288 will remain standalone, and not connected to the system, for the irrigation of the 3/4 circular pivot located in the N1/2 NE1/4, SE1/4 NE1/4 of Section 33, T.26 N., R.65 E., M.D.B. & M. The applicant also intends to irrigate the corner outside the pivot located in the NE1/4 NE1/4, of said Section 33 from the well under permit 22288. An explanation of the acreage to be changed and irrigated within the proposed place of use as stated on the change applications is as follows:

Permit 22287, Certificate 7796 – The certificated acreage of 180.00 acres at a duty of 4 acre feet per acre for a total of 720.00 acre feet will be co-mingled for irrigation within the proposed place of use.

Permit 22288, Certificate 7797 – This permit is certificated for a total of 3.73 cfs for 180.00 acres at a duty of 4 acre feet per acre for a total of 720.00 acre feet. The well under this permit will not be tied into the system connecting the other wells and will irrigate the 3/4 pivot located in the N1/2 NE1/4 and the SE1/4 NE1/4 of said Section 33 along with the corner of the pivot located in the NE1/4 NE1/4 of said Section 33. The certificated acreage being the corners of the pivot in the NW1/4 NE1/4 and the SE1/4 NE1/4 and the certificated acreage located in the N1/2 SE1/4 of said Section 33 that can not be physically irrigated from the well under permit 22288 is to be moved to the well under permit 24225 and co-mingled for irrigation within the proposed place of use of the change applications. The acreage to be moved totals 78.83 acres at a diversion rate of 1.6335 cfs at a duty of 315.32 acre feet at 4 acre feet per acre.

Permit 24224, Certificate 8552 – This permit is certificated for a total of 3.50 cfs for 70.00 acres at a duty of 4 acre feet per acre for a total of 280.00 acre feet. The change application will reflect that all of this acreage will be co-mingled for irrigation within the proposed place of use. However, 50.00 acres of this permit is supplemental to Permit 22287, Certificate 7796. The supplemental acreage is described as 16.00 acres within the SW1/4 NW1/4, 14.00 acres within the SE1/4 NW1/4, 10.00 acres within the NW1/4 SW1/4, and 10.00 acres within the NE1/4 SW1/4 of said Section 33. This leaves 20.00 acres under this permit that is available for irrigation to be co-mingled within the proposed place of use.

Permit 24225, Certificate 8553 – This permit is certificated for a total of 3.61 cfs for 113.00 acres at a duty of 4 acre feet per acre for a total of 452.00 acre feet. The change application will reflect that a portion of this permit will be co-mingled for irrigation within the proposed place of use. 98.00 acres of this permit are supplemental to Permit 22288, Certificate 7797. The supplemental acreage is described as 38.00 acres within the SE1/4 NE1/4, 30.00 acres within the NW1/4 SE1/4, and 30.00 acres within the NE1/4 SE1/4 of said Section 33. This leaves 15.00 acres under this permit that is available for irrigation to be co-mingled within the proposed place of use. 28.61 acres of the supplemental acreage located in the SE1/4 NE1/4 is irrigated by the pivot as described under permit 22288. This supplemental acreage can not physically be irrigated from the well under permit 24225 and therefore could not be included on the proof of beneficial use for the new change applications. For this reason we will request that this acreage be withdrawn from permit 24225, certificate 8553.

Permit 43793 – This permit is for 5.40 cfs for 286.13 acres at a duty of 3 acre feet per acre for a total of 858.39 acre feet. Due to the fact that the duty of the other permits to be co-mingled with these waters is 4 acre feet per acre we will request that the acreage to be irrigated under the change application be reduced in order to irrigate the 858.39 acre feet under this permit at 4 acre feet per acre. The change application will reflect 286.13 acres at a duty of 3 acre feet per acre is removed from irrigation and 214.60 acres at a duty of 4 acre feet per acre for a total of 858.39 acre feet will be available for irrigation to be co-mingled within the proposed place of use.

Question 15 – Page 2
Additional remarks in support of Applications to Change:
Permit 22287, Certificate 7796, Permit 22288, Certificate 7797,
Permit 24224, Certificate 8552, Permit 24225, Certificate 8553,
Permit 43793 and Permit 43794

Permit 43794 – This permit is for 2.4 cfs for 120.00 acres at a duty of 3 acre feet per acre for a total of 360.00 acre feet. Due to the fact that the duty of the other permits to be co-mingled with these waters is 4 acre feet per acre we will request that the acreage to be irrigated under the change application be reduced in order to irrigate the 360.00 acre feet under this permit at 4 acre feet per acre. The change application will reflect 120.00 acres at a duty of 3 acre feet per acre is removed from irrigation and 90.00 acres at a duty of 4 acre feet per acre for a total of 360.00 acre feet will be available for irrigation to be co-mingled within the proposed place of use.

In summary, the acreage available to be irrigated within the proposed place of use, at 4 acre feet per acre, after deducting the supplemental acreage and the acreage to be withdrawn will be as follows:

Permit 22287 – Certificate 7796 =	180.00 acres
Permit 22288 – Certificate 7797=	78.83 acres
Permit 24224 – Certificate 8552=	20.00 acres
Permit 24225 – Certificate 8553=	15.00 acres
Permit 43793=	214.60 acres
Permit 43794=	90.00 acres
Total=	598.43 acres