Permit No. 76859

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:	**THE DALTON AND DIANE LOWERY JOINT REVOCABLE TRUST**
Source:	**TRUCKEE & CARSON RIVERS**
Basin:	**CARSON DESERT**
Manner of Use:	**IRRIGATION**
Period of Use:	**March 15th to November 15th**
Priority Date:	**AS DECREED**

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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 a portion of the waters of the Truckee and Carson Rivers as set forth under Permit 52546 and a portion of Permit 47804 which changed the place of use of a portion of the Newlands Reclamation Project rights in the Truckee and Carson River final decrees, is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 90.0 acre-feet as decreed.**

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: **March 4, 2012**

Map in support of proof of beneficial use shall be filed on or before: **March 4, 2012**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 4th day of **March**, A.D. **2009**

for State Engineer

Completion of work filed June 25, 1998 under 62742

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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Application No. 76859

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THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAR 2 6 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAR 2 6 2008

The applicant See Attachment "A"

4660 Rice Road (Street Address or P.O. Box) of Fallon (City or Town)

NV, 89406 (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 47804 and all water permitted under 52546.

1. The source of water is Truckee and Carson Rivers (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 90.00 a/f (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Irrigation (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 As decreed (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.)
   Lahontan Dam with SW¼ SE¼ Section 33, T.19N., R.26E., M.D.B.&M.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

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

NE¼ SW¼ , SE¼ SW¼ 20.00 acres total at 4.5 a/f, (16.49 acres from permit 47804 and 3.51 acres from permit 52546) Section 16, T.19N., R.28E., M.D.B.&M., Truckee-Carson Irrigation District Serial Nos. 2102-C-1 & 2102-C-2

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.)

NE¼ SW¼ (.04 ac. at 4.5 a/f from permit 47804 & 1.71 ac. at 4.5 a/f from permit 52546), SE¼ SW¼ (16.45 ac. at 4.5 a/f from permit 47804 and 1.80 ac. at 4.5 a/f from permit 52546), Section 16, T.19N., R.28E., M.D.B.&M. a Total of 20.00 ac. Truckee-Carson Irrigation District Serial Nos. 2102-C-1 & 2102-C-2

9. Proposed use will be from March 15 (Month and Day) to November 15 (Month and Day) of each year.

10. Existing use permitted from March 15 (Month and Day) to November 15 (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.)
Dams, Canals and Ditches

12. Estimated cost of works Complete

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

14. Estimated time required to complete the application of water to beneficial use 3 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 made under the provisions of NRS 533.040 Paragraph 4
This application will be for the irrigation of 20.00 acres within the proposed place of use.

16. Miscellaneous remarks:

(775) 423-2188
Phone No.

dbratcher@lumosengineering.
E-mail

By David L. Bratcher, S.W.R.S. #1193
Print or type name clearly

Signature, applicant or agent

Lumos and Associates, Inc.
Company Name

178 S. Maine Street
Street Address or P.O. Box

Fallon, Nevada 89406
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

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Attachment "A"

The applicant Dalton Ray Lowery and Diane Marcia Lowery, as Co-Trustees of The Dalton and Diane Lowery Joint Revocable Trust.