



## THE STATE OF NEVADA

### PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

**Name of Permittee:** RIGHTWAY INVESTMENTS SMITH VALLEY, LLC  
**Source:** UNDERGROUND  
**Basin:** SMITH VALLEY  
**Manner of Use:** IRRIGATION  
**Period of Use:** JANUARY 1ST THROUGH DECEMBER 31ST  
**Priority Date:** 01/21/1976

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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 69419 is issued subject to the terms and conditions imposed in said Permit 69419 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water 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 68767, 68768, 68770, 68771, 68772, 68773, 68774, 68776, 68777, 69415, 69416, 69417, 69418, 71051, 71052, 71054, 71055, 71056, 71057, 71058, 72979, 74804, 74805, 74806, 74807, 74808, 74809 and 77139 shall not exceed 7801.67 acre-feet annually for the irrigation of 1909.36 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)



**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 JUN 13 2008

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed DEC 17 2002 under 69415

The applicant Rightway Investments Smith Valley, LLC

5945 Los Altos Parkway, Suite 101 of Sparks

Street Address or P.O. Box City or Town

Nevada 89436, hereby make(s) application for permission to change the

State and Zip Code

- 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 Number 69419

1. The source of water is Underground  
Name of stream, lake, underground, spring or other sources
2. The amount of water to be changed 1.7 cfs not to exceed 320 acre feet per annum  
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 Irrigation  
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.)  
NE1/4 NE1/4 Section 30, T.13N., R.24E., M.D.B. & M. or at a point from which the N1/4 corner of said section 30 bears N 47 degrees 15 minutes 54 seconds W a distance of 1726.82 feet. - Same POD as 69415
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
SW1/4 NE1/4 Section 30, T.13N., R.24E., M.D.B. & M or at a point from which the SW corner of said section 30 bears S 34 degrees 54 minutes 39 seconds W, a distance of 4,866.40 feet.

107-67

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

Please see Exhibit A

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.)

SW1/4, NW1/4 SE1/4, SW1/4 SE 1/4, and the SE1/4 SE1/4 of Section 19 T.13N., R24E.; and the NW1/4, NE1/4, NW1/4 SW1/4, NE1/4 SW1/4, NW1/4 SE1/4, and the NE1/4 SE1/4 of Section 30, T.13N., R24E., M.D.B. & M. and irrigating 80.0 Acres

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

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

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 and cased well, pump, motor, flowmeter and pipe line to 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 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.)

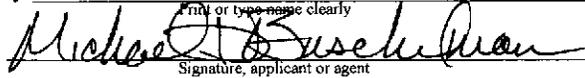
Water under this application will be combined with other permits for the irrigation of crops within the proposed place of use. The existing well under Permit No. 69419 will be used for stock watering purposes. Application No. 27138 has been filed to appropriate ground water for stock watering utilizing the existing well completed under Permit No. 69419.

16. Miscellaneous remarks:

(775) 355-9628  
Phone No.

mike@mbuschelman.com  
E-mail

By Michael D. Buschelman  
Print or type name clearly

  
Signature, applicant or agent

Michael D. Buschelman Consulting, Inc.  
Company Name

P.O. Box 51371  
Street Address or P.O. Box

Sparks, Nevada 89435  
City, State, Zip Code

**APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT**

**\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION**

Application No: 77139

AMENDED EXHIBIT "A"  
Application to Change Number 69419

ITEM NO. 7  
PROPOSED PLACE OF USE

Refer to Map filed under 74804 to support this Application.

T13N, R24E SECTION 19 - SW1/4, NW1/4SE1/4, S1/2SE1/4;  
SECTION 30 - N1/2, N1/2S1/2;  
T13N, R23E SECTION 24 - SE1/4, SE1/4SW1/4;  
SECTION 25 - NW1/4NW1/4, S1/2NW1/4, NE1/4, SW1/4, W1/2SE1/4;  
SECTION 26 - ALL;  
SECTION 27 - S1/2NE1/4, SE1/4, SE1/4SW1/4;  
SECTION 34 - E1/2NW1/4, NE1/4, NW1/4SE1/4, NE1/4SW1/4,  
S1/2SW1/4;  
SECTION 35 - N1/2N1/2, SW1/4NW1/4;  
  
T12N, R23E SECTION 3 - NW1/4, N1/2SW1/4;  
SECTION 4 - PORTION OF NE1/4SE1/4.

Refer to Lyon County Assessors Parcel Numbers:

10-011-03	10-011-04	10-011-10	10-011-11
10-011-12	10-011-13	10-011-14	10-011-15
10-011-16	10-011-17	10-011-18	10-011-19
10-011-20	10-011-21	10-011-22	10-011-23
10-011-24	10-011-25	10-011-26	10-011-27
10-011-32	10-011-34	10-011-35	10-011-37

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