Permit No. 77316

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:	**MOE/MERCIER LIVING TRUST**
Source:	**UNDERGROUND**
Basin:	**WARM SPRINGS VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**02/28/1972**

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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 a portion of the waters of an underground source as heretofore granted under Permit 43005, Certificate 11238, is issued subject to the terms and conditions imposed in said Permit 43005, Certificate 11238, 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 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 10.00 acres within the described place of use.

(Continued on Page 2)

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 0.2857 cubic feet per second or 40.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**March 4, 2010**
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**

K. Hull P.E.
for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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Application No. 77316

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 AUG 1 5 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed AUG 1 5 2008

The applicant Moe/Mercier Living Trust

3400 Right Hand Canyon Road (Street Address or P.O. Box) of Reno (City or Town)

Nevada 89510 (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 43005, Certificate 11238

1. The source of water is an underground source (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 40.00 acre-feet annually and 0.28572 c.f.s. (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 stated.)

   within the NE1/4 of the NE1/4 of Section 29, T.22N., R.22E., M.D.M., or at a point from which the NE Section corner of said Section 29 bears North 25°38'29" East, a distance of 944.62 feet. See map accompanying this Application.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

   the SW1/4 of the NW1/4 of Section 32, T.23N., R.21E., M.D.M., or at a point from which the West 1/4 corner of said Section 32 bears South 85°35'07" West, a distance of 546.60 feet. Refer to map(s) supporting Permit 43005.

84-112

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

10.00 acres within the NW1/4 of the NE1/4 and the NE1/4 of the NE1/4 of Section 29, T.22N., R.22E., M.D.M., the exact location to be determined later. Reference is made to Washoe County Assessor's Parcel Number 077-300-13. See map accompanying this Application.

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.)

7.96 acres within the SE 1/4 of the NE 1/4 of Section 31, T.23N., R.21E., M.D.M., and 2.04 acres within the SW 1/4 of the NW 1/4 of Section 32, T.23N., R.21E., M.D.M.. Reference is made to Washoe County Assessor's Parcel Number 076-232-02. This area is tabulated as Area "F" on the map filed under Permit 73500.

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

10. Existing use permitted from January 1st (Month and Day) to December 31st (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 well, pump and pipeline to irrigation system.

12. Estimated cost of works $10,000

13. Estimated time required to construct works Three (3) years.
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Five (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.)

This water will be used to irrigate 10.0 acres on various pasture ground and garden located within the proposed place of use.

16. Miscellaneous remarks:

2008 AUG 15 AM 11:08
STATE ENGINEER'S OFFICE

775-358-9491
Phone No.

GLindesmith@Tristateltd.com
E-mail

By Debra D. Maurer
Print or type name clearly

Debra D. Maurer
Signature, applicant or agent

Tri State Surveying, Ltd.
Company Name

1925 E. Prater Way
Street Address or P.O. Box

Sparks, NV 89434
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION