



## THE STATE OF NEVADA

### PERMIT TO APPROPRIATE WATER

**Name of applicant:** B. ENTERPRISES, LP (82.5%) AND  
GEORGE L. AND LAREE GARDNER (17.5%)

**Source:** UNDERGROUND

**Basin:** PLEASANT VALLEY

**Manner of Use:** IRRIGATION

**Period of Use:** January 1st to December 31st

**Priority Date:** 08/26/2008

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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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins or before the Proof of Completion of Work is filed.

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

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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 2.0 cubic feet per second or 320.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

September 15 2013

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

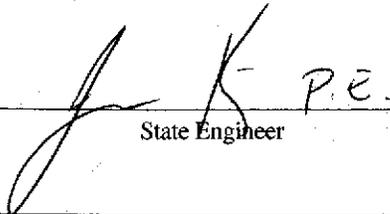
September 15 2015

Map in support of proof of beneficial use shall be filed on or before:

September 15 2015

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of September, A.D. 2010

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

THIS SPACE FOR OFFICE USE ONLY	
Date of filing in State Engineer's Office	<u>AUG 26 2008</u>
Returned to applicant for correction	_____
Corrected application filed	Map filed <u>AUG 26 2008</u>

The applicant B. Enterprises, LP (82½%) & George L. and Laree Gardner (17½%)

PO Box 964 of Enterprise  
Street Address or P.O. Box City or Town

Utah 84725 hereby make(s) application for permission to appropriate  
State and Zip Code

the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

1. The source of water is underground  
Name of stream, lake, underground, spring or other sources.
2. The amount of water applied for is 2.0 c.f.s. second feet.  
One second foot equals 448.83 gallons per minute.  
(a) If stored in reservoir give number of acre-feet \_\_\_\_\_
3. The water to be used for irrigation and domestic  
Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated 80 acres
  - (b) Stockwater, state number and kind of animals \_\_\_\_\_
  - (c) Other use (describe fully in No. 12) \_\_\_\_\_
  - (d) Power:
    - (1) Horsepower developed \_\_\_\_\_
    - (2) Point of return of water to stream \_\_\_\_\_

194-JWP

5. The water is to be diverted from its source 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.)  
within lot 2 (NW¼NE¼) Sec. 3, T.21N., R.69E., M.D.M. from which the NE corner of said Sec. 3 bears N.70°40'E., 1.452 feet distant.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)  
E½SE¼ Sec. 34, T.22N., R.69E., M.D.M.

7. Use will begin about January 1 and end about December 31 of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions 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 and flumes, drilled well with pump and motor, etc.)  
drilled and cased well, pipeline to and across subject property, supplying a combination of wheel lines, a pivot and drip irrigation tubes.

9. Estimated cost of works: \$70,000.00

10. Estimated time required to construct works: five years  
(If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use: eight years

12. 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.)  
Applicants intend to clear and cultivate a portion of the land for livestock pasture, another portion for harvest crop, and some of the marginal acreage to be equipped with a drip-irrigation system to irrigated tree nursery.

13. Miscellaneous remarks:  
Prepared well site is on B.L.M. lands. Applicants will seek the necessary right-of-way permit. Place of use is on land owned by the applicants.

Please send copies of notices and correspondence to undersigned agent.

wnisbet@chilton-inc.com  
E-mail Address

(775) 738-2121  
Phone No

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

William A. Nisbet, Agent  
Type or print name clearly

By William A. Nisbet  
Signature, applicant or agent

Chilton Engineering & Surveying, Ltd.  
Company Name

421 Court Street  
Street Address or P.O. Box

Elko, NV 89801  
City, State, Zip Code

STATE OF NEVADA  
2008 JUN 26 AM 11:56  
RECEIVED

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION