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:	**JELINDO A. TIBERTI II & SANDEE MELVIN TIBERTI**
Source:	**UNDERGROUND**
Basin:	**PAHRUMP VALLEY**
Manner of Use:	**COMMERCIAL**
Period of Use:	**January 1st to December 31st**
Priority Date:	**07/15/2003**

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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 64177 is issued subject to the terms and conditions imposed in said Permit 64177 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 64173, 77460, 77461, 77462, and 77463, having the same point of diversion and place of use, shall not exceed 0.005 cubic feet per second and 2.0 acre-feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

This permit is issued for commercial purposes on the parcels identified by the Nye County Assessor as APN's 035-033-49, 035-033-57, 035-033-58, 035-033-59, and 035-033-60.

(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 0.001 cubic feet per second or 0.4 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **March 2 , 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 2 , 2011**

Map in support of proof of beneficial use shall be filed on or before: **N/A**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2nd day of **March**, A.D. **2009**

FOR State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Application No. 77463

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 OCT 0 8 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed AUG 2 8 1998 under 6 4 1 7 3

The applicant Jelindo A. Tiberti II & Sandee Melvin Tiberti

6575 W. Diablo (Street Address or P.O. Box) of Las Vegas (City or Town)

Nevada 89118 (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

REC per FAX 10-10-08

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 #64177

1. The source of water is underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 0.40 acre feet annually (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for commercial (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 commercial (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.)

SW 1/4 SW 1/4 Section 2, T20S, R53 E, MDB&M or at a point from which the SW corner of said section 2 bears South 58 16' West, 495 feet.

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

SW 1/4 SW 1/4 Section 2, T20S, R53E, MDB&M or at a point from which the SW corner of said Section 2 bears South 70 18' West, 485 Feet.

162-NY

77463

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

SW 1/4 SW 1/4 Section 2, T20S, R53E, MDB &M or Parcel 120A of survey map file #84280, Records of Nye County, NV and Parcel 123

REL per FAX 10-10-08

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.)

~~No change~~

SW 1/4 Section 2, T20S., R.53E., M.D.B.&M., Lying within parcel 123 of Survey map file No. 84280, Records of Nye County, NV.

REL per FAX 10-10-08

9. Proposed use will be from 01 - 01 (Month and Day) to 12 -31 (Month and Day) of each year.

10. Existing use permitted from 01 - 01 (Month and Day) to 12 -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.)

8" cased well x 190' deep, Hays #30M300 single phase 3 hp pump, well piping, flow meter & 2 Hays 23 gal diaphram tanks

12. Estimated cost of works ~~unknown~~

13. Estimated time required to construct works unknown (If well completed, describe well.)

14. Estimated time required to complete the application of water to beneficial use 1 year

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.)

Divert to existing drilled well. Water usage is commercial. There is an existing facility built for Tiberti Fence Co.

2006 OCT -9 AM 11:35

16. Miscellaneous remarks:

702-382-7070 (Phone No.)

sandeet@tiberti.com (E-mail)

By Jelindo A. Tiberti II (Print or type name clearly)

Jelindo A. Tiberti II (Signature, applicant or agent)

(Company Name)

6575 W. Diablo (Street Address or P.O. Box)

Las Vegas, NV 89118 (City, State, Zip Code)

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION