Permit No. 77570T

TEMPORARY

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:	**JAMES L. MOYLE AND N. JANE MOYLE**
Source:	**UNDERGROUND**
Basin:	**DIAMOND VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**02/17/1977**

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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 temporary permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 31109, Certificate 9332 is issued subject to the terms and conditions imposed in said Permit 31109, Certificate 9332 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 temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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 2.06 cubic feet per second or 533.6 acre-feet annually**.

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: **N/A**
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 19th day of **December**, A.D. **2008**

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. 77570T

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 NOV 0 5 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed NOV 0 5 2008 under 77569

The applicant James L. Moyle and N. Jane Moyle

PO Box 128 (Street Address or P.O. Box) of Eureka (City or Town)

Nevada 89316-0128 (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 #31109 (cert. #9332)

1. The source of water is underground (well #17) (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 2.06 c.f.s. (533.6 acre-feet per annum) (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for same as existing (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.)
   within the NW¼SE¼ Section 14, T.21N, R.53E., M.D.M. from which the NW corner of said section 14 bears N.41°28'W., 5,156 ft. dist.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   the NE¼SE¼ Section 14, T.21N., R.53E., M.D.M., from which the N. ¼-~~section~~-corner of said Section 14 bears N.18°53'51"W., a distance of 4,163.5 feet.

9ED

153-EW

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

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.)
133.4 acres with the SE¼ Section 14, T.21N., R.53E., M.D.M.

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

10. Existing use permitted from January 1 (Month and Day) to December 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.)
drilled and cased well, line shaft pump with electric motor; new pipeline connection to sprinklers.

12. Estimated cost of works estimate: $80,000.00

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

14. Estimated time required to complete the application of water to beneficial use three years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary). The proposed use should be temporary in nature, or the requested change should be the result of an unforeseen occurrence: (Failure to provide a detailed description may cause a delay in processing.)
Aging existing well is not producing sufficient water. Applicant seeks to take advantage of the non-irrigation season for the installation and testing of the new works, to be ready for the beginning of the 2009 irrigation season. A permanent change application is being submitted at this same time.

16. Miscellaneous remarks:
Please send copies of notices and correspondence to the undersigned agent.

(775) 738-2121
Phone No

wnisbet@chilton-inc.com
E-mail

By William A. Nisbet, Agent
Print or type name clearly

William A. Nisbet
Signature, applicant or agent

Chilton Engineering & Surveying, Ltd.
Company Name

421 Court Street
Street Address or P.O. Box

Elko, NV 89801-3527
City, State, Zip Code

RECEIVED
2008 NOV -5 PM 1:39
STATE ENGINEER'S OFFICE

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION