



## 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: DAYTON PROPERTY PARTNERS LLC  
Source: UNDERGROUND  
Basin: DAYTON VALLEY  
Manner of Use: MUNICIPAL  
Period of Use: January 1st to December 31st  
Priority Date: 05/06/1971

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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, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 26110, Certificate 8394 is issued subject to the terms and conditions imposed in said Permit 26110, Certificate 8394 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.

The permittee shall keep monthly records of the amount of water pumped from this well and the records must be submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

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 total combined duty of water under Permits 77661 and 77662 shall not exceed 72.0 acre-feet annually.

(Continued on Page 2)

The total combined duty of water under Permits 49483, 49486, Certificate 14718; Permits 50361, 56593, Certificate 14706; Permit 58931, Certificate 14719; Permits 58932, 58933, Certificate 14720; Permits 58934, 62937, 62938, Certificate 15662; Permits 62939, 62940, 63626, 63628, 63630, 63632, 63633, 64128, 64957, 66427, 68155, 68156, 68196, 68197, 68198, 68708, 68737, 69243, 69244, 69245, 70040, 70041, 70042, 70693, 70846, 71379, 71476, 71477, 71536, 71537, 71688, 71856, 71857, 71872, 71873, 72603, 72773, 72774, 72775, 72914, 72931, 72932, 72933, 73157, 73158, 73183, 73393, 73394, 73473, 73474, 73490, 73491, 73992, 74283, 74284, 74285, 74286, 74369, 74370, 74427, 74434, 74562, 74569, 74570, 74612, 74922, 75101, 75102, 75103, 75104, 75157, 75159, 75160, 75277, 75366, 75367, 76525, 77110, 77136 and 77288, 77428, 77612, 77613, 77661 and 77662 shall not exceed 9,290.52 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.

The permittee shall report to the State Engineer on a quarterly basis the effect of pumping this well on other previously existing wells that are located within 2,500 feet of this well. Any pumping of water in this well may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of this well, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

This permit is approved for the entire 57.0 acre-feet annually as requested. However, pursuant to NRS 533.3703, initially only the net consumptive use amount of the base right, 45.6 acre-feet, can be diverted annually. Additional diversion up to the total 57.0 acre-feet may be granted if it can be shown that the additional diversion will not cause the consumptive use of 45.6 acre-feet to be exceeded.

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 0.310 cubic feet per second or 57.0 acre-feet annually.**

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

August 5, 2010

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

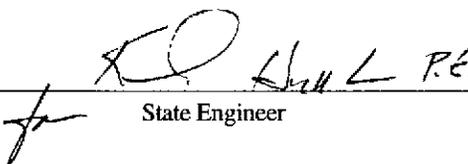
August 5, 2014

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 8th day of April, A.D. 2009

  
State Engineer

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

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

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

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

**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 DEC 0 5 2008

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

Corrected application filed \_\_\_\_\_ Map filed AUG 1 0 1961 under 1 9 8 9 9

The applicant Dayton Property Partners, LLC

2443 Fair Oaks Blvd, Suite 248 of Sacramento  
Street Address or P.O. Box City or Town

California 95825, 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 26110, Certificate 8394

1. The source of water is Underground  
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.31 cfs, not to exceed 57 acre-feet annually  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Municipal & 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 & 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.)  
SW 1/4 SW 1/4, Section 33, T.17N., R.22E., M.D.B. & M., or at a point from which the SW Corner of said Section 33 bears S. 13°28' 09" W., a distance of 558.09 per Certificate 13658. See Remarks #16 and refer to map filed under Permit 19899 for proposed point of diversion
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
NE 1/4 NW 1/4, Section 3, T.17N., R.23E., M.D.B. & M., or at a point from which the N 1/4 Corner of said Section 3, bears N. 39° 48' 00" E., a distance of 78 feet. (Refer to map filed under Permit 26110 for existing point of diversion)  
**73473**

SNC

103-LY

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

Please refer to Exhibit "A" and map filed under Application 74922 on file with the State Engineer's office.

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.)

39.7 acres within the NE 1/4 NW 1/4, Section 3, T.17N., R.23E., M.D.B. & M. A total of 14.25 acres being removed from irrigation within said NE 1/4 NW 1/4. Said 14.25 acres being the remaining portion of Permit 26110 (Cert. 8394) as illustrated on that certain map filed under Application 73473 on file with the State Engineer's office.

SNC

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AS GATEWAY TRAILER CENTER PORTION

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

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

Existing Cardelli well equipped with a motor, pump, meter and municipal distribution system

12. Estimated cost of works \$1,500,000.00

13. Estimated time required to construct works Completed - See Permit 63630

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Ten (10) 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 application transfers water into the Lyon County municipal system in support of the Woodbridge Subdivision, a project approved by the Lyon County Board of Commissioners in September 2007 and consisting of 77 single family homes on 12,000 sf lots within the Lyon County Utilities service area. Upon approval, the water rights will be dedicated to Lyon County for municipal service in accordance with Lyon County water dedication requirements and ordinances. The total combined duty of this application and application to change a portion of Permit 21475 (Cert. 6878) is not to exceed 72 acre-feet annually. Mike Workman of Lyon County designated the Cardelli Well via email on 11/14/08.

16. Miscellaneous remarks:

The existing point of diversion tie under Certificate 13658 & map under Permit 19899 is being used to describe the proposed point of diversion per the December 2, 2008 phone call from Rick Lisle, Division of Water Resources. Application 77185 will be withdrawn once this application is RFA.

(775) 352-7800

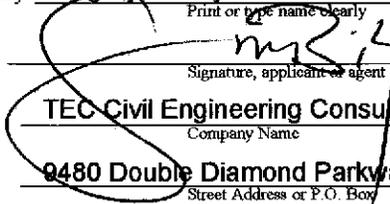
Phone No.

gregb@tecreno.com

E-mail

By Gregory M. Bilyeu

Print or type name clearly

  
Signature, applicant or agent

TEC Civil Engineering Consultants

Company Name

0480 Double Diamond Parkway, Suite 200

Street Address or P.O. Box

Reno, NV 89521

City, State, Zip Code

STATE ENGINEERS OFFICE

2008 DEC -5 PM 4:41

RECEIVED

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

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

## Attachment "A"

**Question #7 – Proposed Place of Use****T.16 N., R.20 E., M.D.B. & M.:**

All of Section 24; E½, those portions of NW¼ and SW¼ Section 25 lying within Lyon County, the portion of the NE¼ Section 36 lying within Lyon County.

**T. 16 N., R. 21 E., M.D.B. & M.:**

All of Section 1; SE¼ SE¼ Section 2; All of Section 11; All of Section 12; All of Section 13; All of Section 14; All of Section 19; All of Section 20; All of Section 23; All of Section 24; All of Section 26; All of Section 27; All of Section 28; All of Section 29; All of Section 30; N½, the portion of the S½ Section 31 lying within Lyon County; N½ Section 32; N½ Section 33; N½ Section 34; N½ Section 35.

**T. 16 N., R. 22 E., M.D.B. & M.:**

All of Section 3; All of Section 4; All of Section 5, All of Section 6; All of Section 7; All of Section 8; All of Section 9; N½ Section 16; All of Section 17; All of Section 18; All of Section 19; All of Section 20.

**T. 17 N., R. 21 E., M.D.B. & M.:**

SE¼, those portions of the SW¼, NW¼ and NE¼ Section 36 lying within Lyon County.

**T. 17N., R. 22 E., M.D.B. & M.:**

The portion of the S½ Section 21 lying within Lyon County; S½, the portion of the N½ Section 22 lying within Lyon County; All of Section 27; All of Section 28 lying within Lyon County; SE¼, those portions of the SW¼, NW¼, NE¼ Section 29 lying within Lyon County; the portion of the S½ Section 30 lying within Lyon County; S½, NE¼, the portion of the NW¼ Section 31 lying within Lyon County; All of Section 32; All of Section 33; All of Section 34; All of Section 35.

In addition to the above described Place of Use, it is the intent of these applications to provide water service to the entire Lyon County/Dayton Utilities service area as determined by the Lyon County Public Works Director. If in the future, some other entity is determined to have that authority, the Place of Use of this permit shall be pursuant to that authority's determination of the service area.