

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: JOSEPH L. RAND AND ELLEN M. RAND REVOCABLE
LIVING TRUST DATED MAY 9, 1996

Source: UNDERGROUND

Basin: DIAMOND VALLEY

Manner of Use: IRRIGATION

Period of Use: January 1st to December 31st

Priority Date: 04/17/1967

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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 23807, Certificate 8902, is issued subject to the terms and conditions imposed in said Permit 23807, Certificate 8902 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 77665 and 77666 shall not exceed 547.88 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.

Permits 77665 and 77666 are partially supplemental to Proof of Appropriation V01137 within the E $\frac{1}{2}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 23 North, Range 54 East, MDB&M.

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 0.87 cubic feet per second or 153.76 acre-feet annually, but not to exceed 4.0 acre-feet per acre from any and/or all sources.**

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

August // , 2010

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

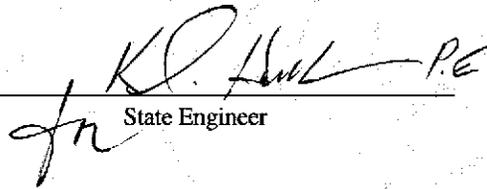
August // , 2012

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

August // , 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 11th day of August, A.D. 2009



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

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 08 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed DEC 08 2008

The applicant Joseph L. Rand and Ellen M. Rand, trustees of the Joseph L. Rand and Ellen M. Rand Revocable Living Trust, Dated May, 9, 1996

HC 62 Box 140 of Eureka
Street Address or P.O. Box City or Town

Nevada 89316, 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 No. 23807, Certificate No. 8902

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.87 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 so stated.)
NW1/4 SE1/4 of Section 27, T.23 N., R.54 E., M.D.B.& M., at a point from which the South 1/4
Corner of Section 34, T.23 N., R.54 E., M.D.B.& M., bears S 02° 52' 52" W, 7005.00 feet.

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

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
The E1/2 NW1/4, W1/2 NE1/4, SE1/4 NE1/4, NE1/4 SW 1/4 and the N1/2 SE1/4 of Section 27,
T.23 N., R.54 E., M.D.B.& M. 165.00 acres to be irrigated within the place of use.
(Please see remarks)

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.)
All of the SE1/4 NW1/4 and NE1/4 SW1/4 and portions of the NE1/4 NW1/4, NW1/4 NE1/4,
SW1/4 NE1/4 and NW1/4 SE1/4 of Section 27, T.23 N., R.54 E., M.D.B.& M. 165.00 acres to be
removed from irrigation. (Please see remarks)

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

10. Use permitted from January 1st to December 31st 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.)
a drilled & cased well equipped with a motor, pump, pipelines and sprinklers

12. Estimated cost of works \$10,000.00

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

14. Estimated time required to complete the application of water to beneficial use 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 application changes the place of use of a portion under Permit 23807 due to fact that the
acreage is not now irrigated as certificated. The waters under this application and the application to
change the point of diversion and place of use of the remaining portion of Permit 23807 are to be
co-mingled to irrigate 165.00 acres within the proposed place of use.

16. Miscellaneous remarks:

(775) 738-4053
Phone No.

remorley@frontiernet.net
E-mail

By Robert E. Morley
Print or type name clearly

Robert E. Morley
Signature, applicant or agent

High Desert Engineering, LLC
Company Name

640 Idaho Street
Street address or P.O. Box

Elko, Nevada 89801
City, State, Zip Code

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION