



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: LOWERY REVOCABLE TRUST
 DALTON & DIANE LOWERY, TRUSTEES

Source: TRUCKEE & CARSON RIVERS

Basin: CARSON DESERT

Manner of Use: IRRIGATION

Period of Use: March 15th to November 15th

Priority Date: AS DECREED

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 place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees, is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein

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 on November 15, 2009 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 40.05 acre-feet as decreed.**

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 6th day of May, A.D. 2009



for State Engineer

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 JAN 30 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed _____

The applicant Lowery Revocable Trust, Dalton & Diane Lowery, Trustees
4660 Rice Road of Fallon
Street Address or P.O. Box City or Town
NV, 89406, 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.)

1. The source of water is Truckee and Carson Rivers
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 8.90 ac. @ 4.5 af (40.05 AF) mm²/25/09
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation
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 As decreed
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.)
Lahontan Dam being within the SW SE, Section 33, T19N., R26E., M.D.B.&M.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

- 7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
4.80 ac. NE SW, .05 ac. SE SW, Section 22, 1.00 ac. NE NW Section 27, T19N., R28E., M.D.B.&M. T.C.I.D. Serial No. 522-1-A and 2.55 ac. NE NE, .20 ac. SE NE, .30 ac. SW NE, Section 25, T19N., R27E., M.D.B.&M. T.D.I.D. Serial No. 443-A

- 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.)
1.00 ac. NE SW, 7.90 ac. SE SW, Section 22, T19N., R28E., M.D.B.&M. T.C.I.D. Serial No. 522-1-A

- 9. Proposed use will be from March 15 to November 15 of each year.
Month and Day Month and Day
- 10. Existing use permitted from March 15 to November 15 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.)
- 12. Estimated cost of works Complete
- 13. Estimated time required to construct works Complete
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use N/A
- 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.)
Water right being moved to area that is non-water righted but being irrigated.

16. Miscellaneous remarks:

(775)745-8074
Phone No.

lowery@phonewave.net
E-mail

By Dalton Lowery
Print or type name clearly

Dalton Lowery
Signature, applicant or agent

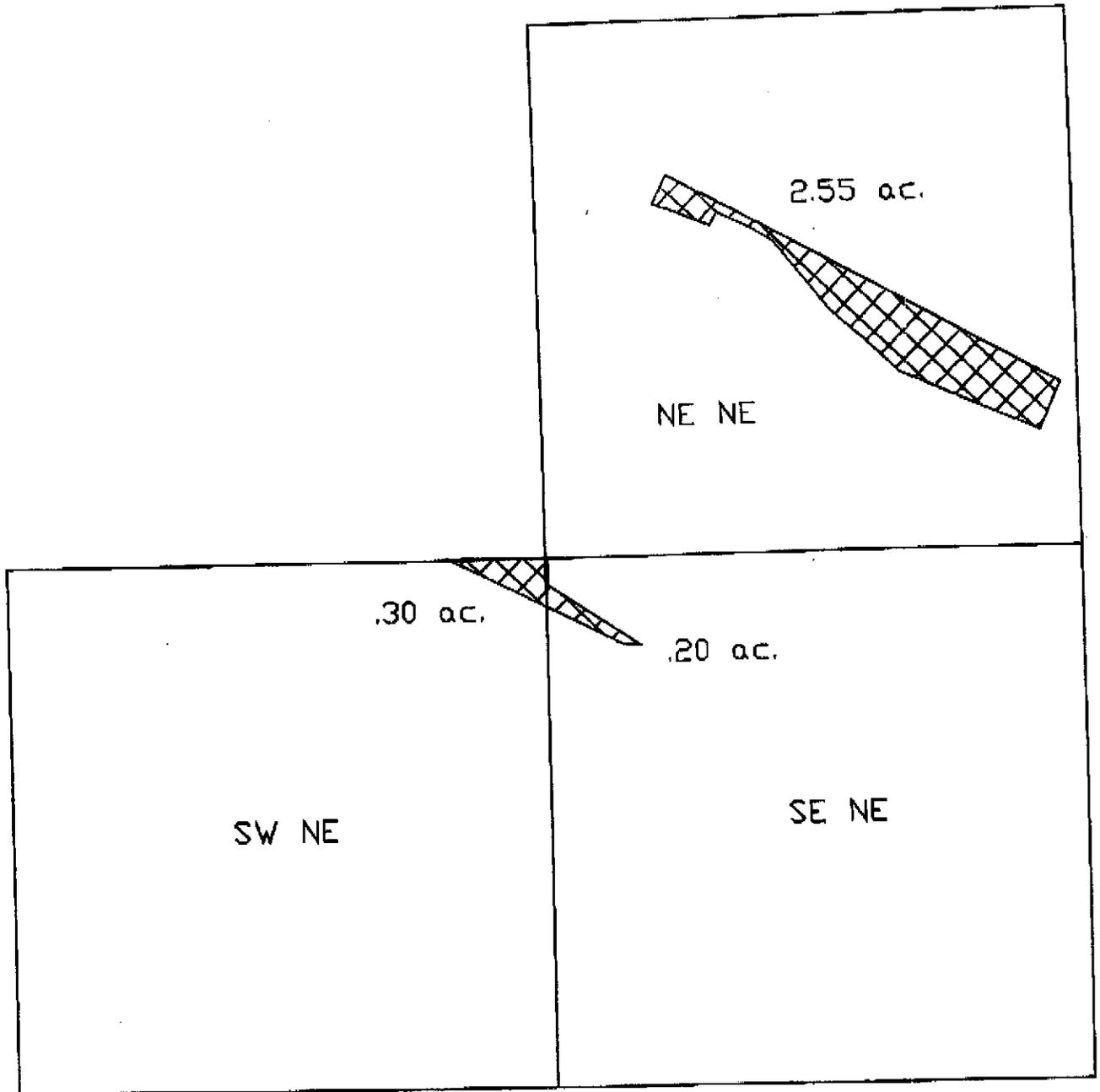
Company Name
4660 Rice Road
Street Address or P.O. Box
Fallon, NV 89406
City, State, Zip Code

STATE ENGINEERS OFFICE
2009 JAN 30 AM 11:44

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

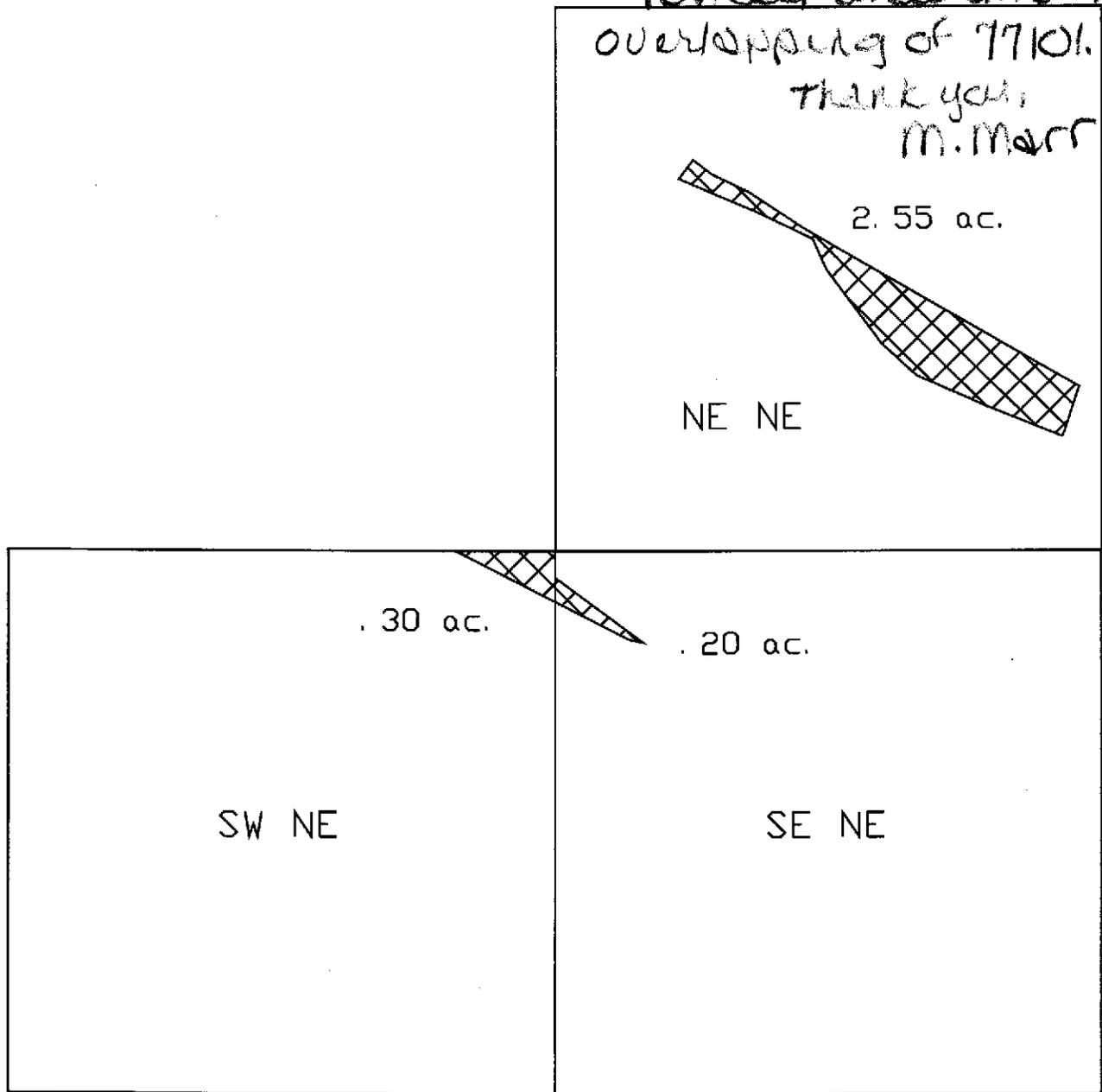
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Section 25, T19N., R27E., M.D.B.&M.
T.C.I.D. Serial No. 443-A

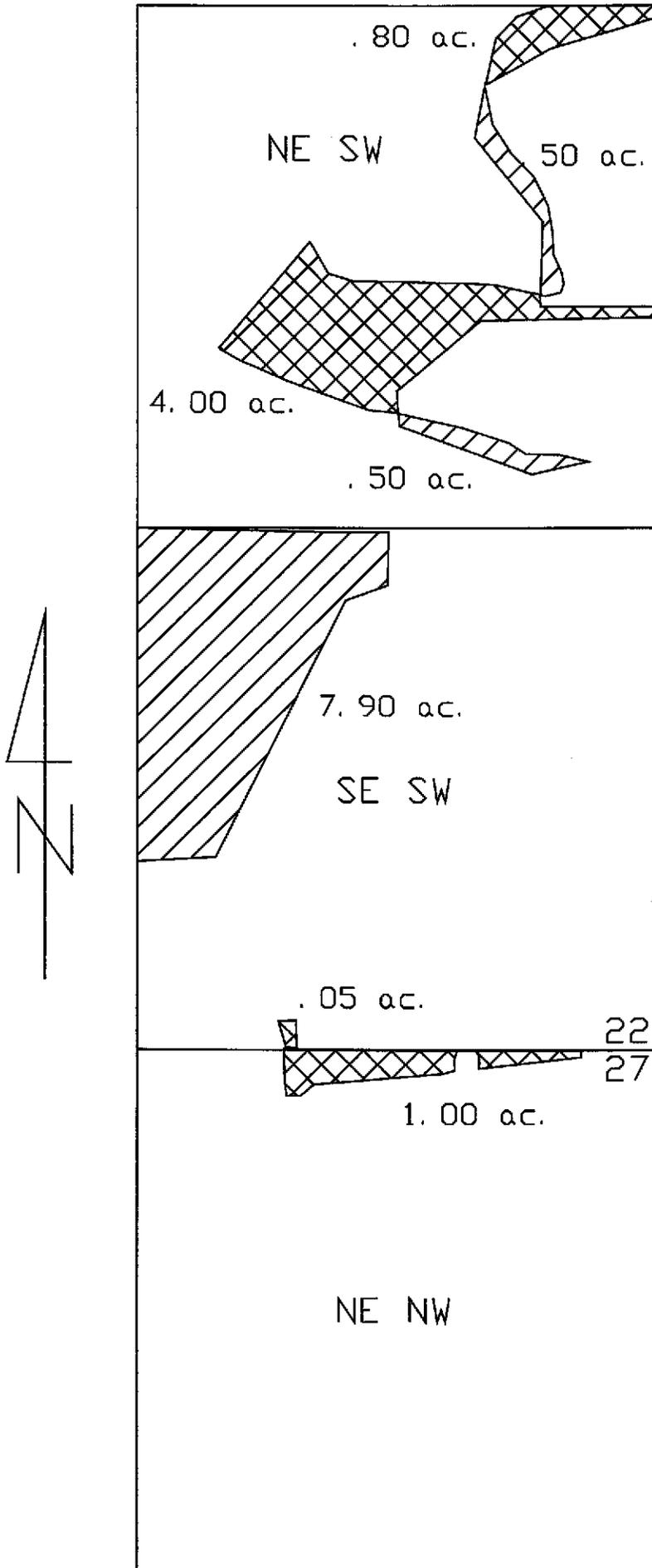
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See fax on 2/24/09 for
revised area due to



Section 25, T19N., R27E., M. D. B. & M.
T. C. I. D. Serial No. 443-A

77962T



Section 22 & 27, T19N., R28E., M. D. B. & M.
T. C. I. D. Serial No. 522-1-A