



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: HENRY A. AND MARIAN FILIPPINI AS TRUSTEES
OF THE HANK & MARIAN FILIPPINI FAMILY
TRUST DATED DECEMBER 22, 2003

Source: UNDERGROUND

Basin: LOWER REESE RIVER VALLEY

Manner of Use: IRRIGATION

Period of Use: January 1st to December 31st

Priority Date: 04/09/1969

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 51712, Certificate 12516, is issued subject to the terms and conditions imposed in said Permit 51712, Certificate 12516 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 77970, 77971 and 77972 shall not exceed 540 acre-feet.

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

(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 1.329 cubic feet per second or 326.74 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated 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:

June 24, 2010

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

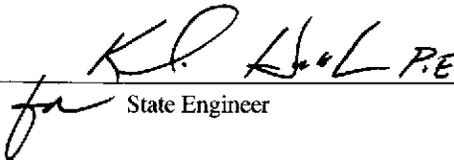
June 24, 2014

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

June 24, 2014

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of June, 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 FEB 02 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed FEB 02 2009 under 77970

The applicant Henry A. Filippini and Marian Filippini as trustees of the Hank & Marian Filippini Family Trust dated December 22, 2003

HC 61 Box 70 of Battle Mountain
Street Address or P.O. Box City or Town

Nevada 89820, 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 51712, Certificate 12516

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

2. The amount of water to be changed 1.329 cfs 326.74 acre feet annually
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 Mining, Milling, 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.)
SW1/4 SW1/4 of Section 16, T.29 N., R.43 E., M.D.B. & M., at a point from which the Southwest corner of said Section 16 bears S 45° 00' 00" W, 141.40 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer)
SW1/4 NE1/4 of Section 28, T. 29 N., R. 43 E., M.D.B. & M., at a point from which the W1/4 corner of said Section 28 bears S 87° 54' 00" W, 2740.70 feet.

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
The SE1/4 of Section 17, T.29 N., R.43 E., M.D.B. & M. (81.685 acres to be irrigated)
(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.)
See Attached Sheet

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

10. 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.)
Drilled well, pump, motor, pipelines and pivot sprinkler system

12. Estimated cost of works \$20,000

13. Estimated time required to construct works Well complete under permit 25039
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)

Due to the supplemental nature of base rights Permit 49249, 51711 and 51712 the waters under this application and the accompanying applications to change Permit 49249 and 51711 are to be co-mingled to irrigate a total of 135 acres within the proposed place of use. Please use the map submitted under Permit 51712 to illustrate the existing point of diversion and place of use in support of this application.

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**

2009 FEB -2 PM 2:52

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Filippini – Change Permit 51712 – Certificate 12516

Item 8: Existing Place of Use

T.30 N., R.42 E., M.D.B. & M.

All of Sections 26, 27, 34, 35, 36

T.30 N., R.43 E., M.D.B. & M.

All of Section 30

T.29 N., R.42 E., M.D.B. & M.

All of Sections 1, 2, 3, 10, 11, 12, 13, 14, S1/2 of Section 15, E1/2 of Section 16, all of Sections 23, 24, 25, 26, S1/2 of Section 27, S1/2 of Section 28, S1/2 of Section 29, SE1/4 of Section 30, E1/2 of Section 31, all of Sections 32, 33, 34, 35, 36

T.29 N., R.43 E., M.D.B. & M.

All of Section 4, SW1/4 of Section 5, all of Sections 6, 7, W1/2 of Section 8, all of Section 10, S1/2 of Section 14, E1/2 of Section 16, W1/2 of Section 17, all of Sections 18, 19, 20, 21, 22, W1/2 of Section 23, all of Sections 24, 25, 26, 27, S1/2 of Section 28, all of Sections 29, 30, 31, 32, 33, 34, W1/2, SE1/4, SE1/4 NE1/4 of Section 35, all of Section 36

T.28 N., R.42 E., M.D.B. & M.

All of Sections 1, 2, 3, 4, 5, N1/2 of Section 8, all of Sections 9, 10, 11, 12, 13, 14, 15, 22, 23, 24

T.28 N., R.43 E., M.D.B. & M.

All of Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27