Permit No. 78055

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:	**WINNEMUCCA FARMS INC**
Source:	**UNDERGROUND**
Basin:	**PARADISE VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**02/11/1971**

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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 of the waters of an underground source as heretofore granted under Permit 25946, Certificate 9107, is issued subject to the terms and conditions imposed in said Permit 25946, Certificate 9107 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.

(Continued on Page 2)

The total combined duty of water under: Permit 24434, Certificate 7757; Permit 25652, Certificate 8681; Permit 25653, Certificate 8682; Permit 25654, Certificate 8683; Permit 25655, Certificate 8751; Permit 25656, Certificate 8684; Permit 25657, Certificate 8752; Permit 25658, Certificate 8685; Permit 25659, Certificate 8686; Permit 25926, Certificate 9102; Permit 25927, Certificate 9103; Permit 25941, Certificate 9104; Permit 25944, Certificate 9105; Permit 25945, Certificate 9106; Permit 25947, Certificate 9108; Permit 25948, Certificate 9109; Permit 25949, Certificate 9110; Permit 25950, Certificate 9111; Permit 25951, Certificate 9112; Permit 27447, Certificate 9122; Permit 27448, Certificate 9148; Permit 28024, Certificate 9123; Permit 28025, Certificate 9124; Permit 28526, Certificate 9128; Permit 29003, Certificate 8687; Permit 29257, Certificate 9129; Permit 29258, Certificate 9130; Permit 29663, Certificate 8923; Permit 30343, Certificate 9134; Permit 30344, Certificate 9135; Permit 30597, Certificate 9594; Permit 31080, Certificate 9139; Permit 31081, Certificate 9140; Permit 34000, Certificate 9598; Permit 34001, Certificate 9599; Permit 34002, Certificate 9600; Permit 34003, Certificate 9601; Permit 34005, Certificate 9602; Permit 34006, Certificate 9603; Permit 34007, Certificate 9605; Permit 34008, Certificate 9610; Permit 36319, Certificate 10359; Permit 39590, Certificate 10361; Permit 42596, Certificate 10362; Permit 42597, Certificate 10363; Permit 45712, Certificate 13271; Permit 49321, Certificate 12803; Permit 55111, Certificate 13848; Permit 55112, Certificate 13849; Permits 65823 through 65832, inclusive; Permits 65835 through 65864, inclusive; Permits 69422, 69423 and 78055, shall not exceed 36,261.22 acre-feet annually for the irrigation of 14,486.35 acres within the described places of use of the above listed permits and certificates.

The duty attributed to consumptive use is 33,360.33 acre-feet annually and any future changes of these permits may be limited to this duty.

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

The issuance of this permit expires Temporary Permit 78068T.

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 5.525 cubic feet per second or 3999.93 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**August 13, 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 13, 2011**
Map in support of proof of beneficial use shall be filed on or before:	**August 13, 2011**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of **August**, A.D. **2009**

for K. Hall P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Application No. 78055

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 18 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed FEB 18 2009

The applicant Winnemucca Farms, Inc.

1 Potato Place (Street Address or P.O. Box) of Winnemucca (City or Town)

Nevada, 89445 (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 25946 Certificate 9107

1. The source of water is underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed ~~5.25 cfs~~ 5.525 c.f.s. (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 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 NE1/4 SW1/4 of Section 31, T.39N.,R.39E., M.D.B.&M., or at a point from which the SE corner of Section 32, T.39N.,R.39E., M.D.B.&M., bears S 78°38' E a distance of 8323.0 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
the SE1/4 SW1/4 of Section 31, T.39N.,R.39E., M.D.B.&M., or at a point from which the SW corner of Section 31, bears S 66°21' W a distance of 2736.00 feet.

REC per phone + FAX

69-HW

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

See attachment

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.)

unchanged

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

10. Existing use permitted from January 1st (Month and Day) to December 31st (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.)

A drilled well, pump, motor and circular sprinklers.

12. Estimated cost of works $50,000.00 ±

13. Estimated time required to construct works 1 year (If well completed, describe well.)

14. Estimated time required to complete the application of water to beneficial use 2 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.)

Applicant intends to drill a replacement well for Permit 25946, the proposed point of diversion is over 300 feet away and in a different forty acre parcel.

16. Miscellaneous remarks:

Please use the Proof of beneficial use map for Permit 25946 for the existing and proposed place of use.

775-623-4414
Phone No.

dms@winnemucca.net
E-mail

By John H. Milton III (agent)
Print or type name clearly

Signature, applicant or agent

Desert Mountain Surveying
Company Name

146 West Second Street
Street Address or P.O. Box

Winnemucca, Nevada, 89445
City, State, Zip Code

2009 FEB 18 PM 1:33

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Question 7 Attachment

78055

38.54 acres in the NW¼ NW¼ of Sec. 26, T.39N., R.38E., MDB&M		
38.91-	NE¼ NW¼	"
39.45-	SW¼ NW¼	"
39.82-	SE¼ NW¼	"
38.91-	NW¼ NE¼	"
38.46-	NE¼ NE¼	"
39.82-	SW¼ NE¼	"
39.37-	SE¼ NE¼	"
39.82-	NW¼ SE¼	"
39.37-	NE¼ SE¼	"
39.37-	SE¼ SE¼	"
39.82-	SW¼ SE¼	"
39.45-	NW¼ SW¼	"
39.82-	NE¼ SW¼	"
39.82-	SE¼ SW¼	"
39.45-	SW¼ SW¼	"
38.46-	NW¼ NW¼	25
38.91-	NE¼ NW¼	"
39.82-	SE¼ NW¼	"
39.37-	SW¼ NW¼	"
38.91-	NW¼ NE¼	"
38.91-	NE¼ NE¼	"
39.82-	SE¼ NE¼	"
39.82-	SW¼ NE¼	"
39.82-acres in the NW¼ SE¼ of Sec. 25, T.39N., R.38E., MDB&M		
39.82-	NE¼ SE¼	"
39.82-	SE¼ SE¼	"
39.82-	SW¼ SE¼	"
39.37-	NW¼ SW¼	"
39.82-	NE¼ SW¼	"
39.82-	SE¼ SW¼	"
39.37-	SW¼ SW¼	"
39.10-	NW¼ NW¼	35
39.46-	NE¼ NW¼	"
39.82-	SE¼ NW¼	"
39.46-	SW¼ NW¼	"
39.10-	NW¼ NE¼	"
39.00-	NE¼ NE¼	"
39.36-	SE¼ NE¼	"
39.46-	SW¼ NE¼	"
39.10-	NW¼ SE¼	"
39.00-	NE¼ SE¼	"
38.90-	SE¼ SE¼	"
38.90-	SW¼ SE¼	"
39.40-	NW¼ SW¼	"
39.46-	NE¼ SW¼	"
39.81-	SE¼ SW¼	"
39.45-	SW¼ SW¼	"
38.91-	NW¼ NW¼	30, T.39N., R.39E., MDB&M
38.91-	NE¼ NW¼	"
39.82-	SE¼ NW¼	"
39.82-	SW¼ NW¼	"
38.91-	NW¼ NE¼	"
38.91-	NE¼ NE¼	"
39.82-	SE¼ NE¼	"
39.82-	SW¼ NE¼	"
39.82-	NW¼ SE¼	"
39.82-	NE¼ SE¼	"
39.82-	SE¼ SE¼	"
39.82-	SW¼ SE¼	"
39.82-	NW¼ SW¼	"
39.82-	NE¼ SW¼	"
39.82-	SE¼ SW¼	"
39.82-	SW¼ SW¼	"
39.82-	NW¼ NW¼	31
39.82-	NE¼ NW¼	"
39.82-	SE¼ NW¼	"
39.82-	SW¼ NW¼	"
39.82-	NW¼ NE¼	"
39.82-	NE¼ NE¼	"
39.82-	SE¼ NE¼	"
39.82-	SW¼ NE¼	"
39.82-	NW¼ SE¼	"
39.82-	NE¼ SE¼	"
39.82-	SE¼ SE¼	"
39.82-	SW¼ SE¼	"
39.82-	NW¼ SW¼	"
39.82-	NE¼ SW¼	"
39.82-	SE¼ SW¼	"
39.82-	SW¼ SW¼	"

3161.26 acres total