Permit No. 78064T

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:	**IVIN BRINKERHOFF AND JANICE YOUNG**
Source:	**UNDERGROUND**
Basin:	**GRASS VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**03/09/1962**

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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 temporary permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 76705 is issued subject to the terms and conditions imposed in said Permit 76705 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. 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 temporary 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 Permit 76704 and Temporary Permit 78064T shall not exceed 361.14 acre-feet annually.

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

The subject well under Permit 78064T shall be plugged in accordance with the Nevada Administrative Code, Chapter 534.420, "Regulations for Water Well and Related Drilling" within 60 days from the expiration of this permit.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(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 0.223 cubic feet per second or 80.0 acre-feet annually.**

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 3rd day of **April**, A.D. **2009**

for R.C. Hall P.E.
State Engineer

llb

TEMPORARY Application No. 78064 T

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 23 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed FEB 05 2008 under 76704

The applicant Ivin Brinkerhoff, an unmarried man & Janice Young an unmarried woman

4455 Van Diest Road (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

[x] 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.)

all of Permit #76705

1. The source of water is Underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 0.223 CFS or 80.0 AFA (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 stated.)
   in the NE1/4 of the NW1/4 of Section 36, T.34N., R.37E., M.D.B.&M., or at a point from which the NW corner of said Section 36 bears N46°12'W a distance of 1896.00'.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   in the SW1/4 of the NW1/4 of Section 36, T.34N., R.37E., M.D.B.&M., or at a point from which the NW corner of said Section 36 bears N11°10'W a distance of 1459.23' feet.

71-RE

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
Same as existing place of use for the Permit #76704 & #76705 map, dated January 24, 2008: being a portion of the NW1/4 NW1/4 of said Section 36, (29.535 acres); being a portion of the NE1/4 NW1/4 of said Section 36, (30.965 acres); and being a portion of the SE1/4 NW1/4 of said Section 36, (29.785 acres), for a total of 90.285 acres..

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.)
Same as existing place of use for the Permit #76704 & #76705 map, dated January 24, 2008: being a portion of the NW1/4 NW1/4 of said Section 36, (29.535 acres); being a portion of the NE1/4 NW1/4 of said Section 36, (30.965 acres); and being a portion of the SE1/4 NW1/4 of said Section 36, (29.785 acres), for a total of 90.285 acres..

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

10. Existing use permitted from January 1 (Month and Day) to December 31 (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.)
The old existing Well will be used until the new well for Permit #76705 is drilled.

12. Estimated cost of works $5,000.00

13. Estimated time required to construct works 30 days
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). 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.)
The old existing well will be used until the well for Permit #76705 is completed. The smaller amount of water will in the mean time be used. The old well would not be able to handle Permit 76704 which is a much larger permit.

2009 FEB 23 PM 1:47

16. Miscellaneous remarks:
This will be temporary until the New Well for Permits #76705 is completed.

775-831-7539
Phone No.

conn@pyramid.net
E-mail

By Conn Davis
Print or type name clearly

Conn Davis
Signature, applicant or agent

CLD Surveying
Company Name

P.O. Box 7316
Street Address or P.O. Box

Incline Village, NV 89452
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION