Permit No. 78084T

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:	**S.V. DEVELOPMENT, LTD, LLC & FM FULSTONE, INC**
Source:	**UNDERGROUND**
Basin:	**SMITH VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**01/07/1948**

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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 and place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 68151, is issued subject to the terms and conditions imposed in said Permit 68151 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 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.

(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 0.017 cubic feet per second or 12.54 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 31st day of **July**, A.D. **2009**

P.E.

for State Engineer

llb

TEMPORARY

Serial No. 78084 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 MAR 0 2 2009

Returned to applicant for correction

Corrected application filed ..... Map filed MAR 0 2 2009 under 78083T

The applicant S.V. Development, Ltd., LLC & F.M. Fulstone, Inc.

P.O. Box 34 (Street and No. or P.O. Box No.) of Smith (City or Town)

Nevada 89430 (State and Zip Code No.), hereby make.s..... application for permission to change the

POD. ☒ POU. ☒ MOU. ☒ of a portion. ☒

of water heretofore appropriated under Permit 68151
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 Underground Water-Well
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.017cfs (12.54 afa)
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 ~~Fish~~ Fish propagation and domestic
If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW¼ NE¼ Sec 36 T.11 N., R. 23E., MDB & M.
Describe as being within a 40-acre subdivision of public survey and by course

or at a point from which the NW corner of said Sec 36 bears N. 58°49'04" W., a distance of ~~3132.52~~ 3231.32 feet
and distance to a section corner, if on unsurveyed land, it should be stated.

6. The existing point of diversion is located within SE¼ SE¼ Sec 21, T.10N., R.24E., MDB~~&N~~M or at a point
If point of diversion is not changed, do not answer.

from which the E¼ corner of said Sec 21 bears N. 6° 48' 50" E., a distance of 1957.6 feet

107-L7

7. Proposed place of use.....A portion of the S½ NE¼, SE¼ Sec. 31, T.11N., R.24E. MDB&M (16.04 acres.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

..... when combined with a T-change of 68151 being a ring around the outside of a center pivot.....

.....under 71864.....

.....

8. Existing place of use.....SE¼ SE¼, Sec. 21, T.10N., R.24E., MDB&M.....
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of

.....accompanying temporary change will transfer all the acreage in the existing POU under 68620-T.....
use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

.....

.....

.....

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.).....Drilled well 550 feet deep, pump, motor, meter,.....
State manner in which water is to be diverted, i.e. diversion structure, ditches,

...ditches, booster pump, pipeline and center pivot.....
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.....1 year.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

.....Storage is 30% of average and the snowpack is 75% of average for this date. This constitutes an emergency.....

.....in that there is very little chance that we will get a full allocation this year...For a map of existing POD and POU, ...

..... use map on file under 68151. For a map of proposed POD, use map on file under Permit 71864. For proposed.....

.....POU, use map to accompany this file.....Any storage water at the Prop POU

.....will be used elsewhere this year. This is primary

.....GW & will remain Primary GW.

.....(775)885-2101.....
Phone No.

By....R. Michael Turnipseed, P.E.....
Print or type name clearly

Signature, applicant or agent

...204 North Minnesota Street.....
Street and No., or P.O. Box No.

....Carson City, Nevada 89703.....
City, State, Zip Code

2009 MAR -2 PM 1:06

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

$100 FILING FEE MUST ACCOMPANY APPLICATION