

THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of applicant: COLVIN & SON, LLC
Source: UNDERGROUND
Basin: LITTLE FISH LAKE VALLEY
Manner of Use: IRRIGATION
Period of Use: April 15th to October 15th
Priority Date: 03/26/2009

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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins or before the Proof of Completion of Work is filed.

The permittee shall keep monthly records of the amount of water pumped from this well and the records must be submitted to the State Engineer on an annual basis within 30 days after the end of each calendar year.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 71660 and 78192, having the same point of diversion and place of use, shall not exceed 6.5 cubic feet per second and 1091.41 acre-feet annually.

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

Any application to change this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin, and may be restricted to the consumptive use (2.4 acre-feet annually) portion for changes to areas outside of the Little Fish Lake Valley Hydrographic Basin (150).

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 2.5 cubic feet per second or 139.31 acre-feet annually, and not to exceed a duty of 3.5 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:

March 3, 2011

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

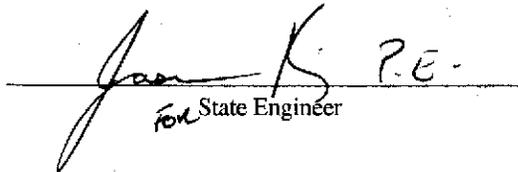
March 3, 2012

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

March 3, 2012

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 20th day of January, A.D. 2010



For State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAR 26 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed SEP 15 1994 under 71659

The applicant Colvin & Son, LLC

37650 Ritter Road of Ritter

Street Address or P.O. Box City or Town

OR 97856 hereby make(s) application for permission to appropriate

State and Zip Code

the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

Colvin & Son, LLC, a domestic limited liability company, NV Entity No. LLC7980-2000, was filed with the Nevada Secretary of State on 08-18-2000.

1. The source of water is underground (Middle Valley Well, Permit #71660)
Name of stream, lake, underground, spring or other sources.
2. The amount of water applied for is 2.5 c.f.s additional (total = 6.5 c.f.s. for Permit #71660) second feet.
One second foot equals 448.83 gallons per minute
 - (a) If stored in reservoir give number of acre-feet _____
3. The water to be used for Irrigation
Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated 311.83 acres
 - (b) Stockwater, state number and kind of animals _____
 - (c) Other use (describe fully in No. 12) _____
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____

150-114

5. The water is to be diverted from its source 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.)
SW1/4SW1/4 Sec. 7, T.11N., R.50E., M.D.M. from which the NW corner of said Section 7 bears N. 9 degrees 54 minutes W., 4,365 feet distant (the diversion point is the same as that of Permit # 71660).

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)
T.11N., R.50E., M.D.M., Section 7: SW1/4SW1/4
T.11N., R.49E., M.D.M., Section 12: S1/2SE1/4, Section 13: NE1/4, E1/2SW1/4, NW1/4SE1/4,
Section 24: E1/2NW1/4
_____ excepting therefrom approximately 168.17 acres irrigated under the vested claim bearing serial
_____ number V02859 as depicted on pages 2 & 3 of 6 upon the maps filed in association with V02859
_____ (the place of use is the same as that of Permit # 71660).

7. Use will begin about Apr. 15 _____ and end about Oct. 15 _____ of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions 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 and flumes, drilled well with pump and motor, etc.)
Drilled well, casing, line shaft turbine pump with motor, and distribution lines to existing and new ditch system.

9. Estimated cost of works: \$40,000 _____

10. Estimated time required to construct works: Three years. _____
(If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use: Six years. _____

12. 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.)
Irrigation of native and/or improved pasture via underground water through a well and contour ditch irrigation system.

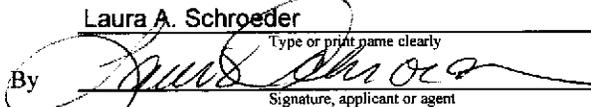
13. Miscellaneous remarks:
This application is being filed to provide additional cfs from Middle Valley Well for lands irrigated under Permit 71660. The cfs rate under Permit 71660 is insufficient to deliver the permitted duty of 3.5 acre-feet per acre. Jointly, the additional cfs rate applied for and the use rate under Permit 71660 will allow a total rate of 6.5 cfs (based on the anticipated capabilities of the pumping equipment), not to exceed an annual duty of 3.5 acre-feet per acre. This rate will allow for intermittent pumping consistent with reasonable agricultural practices. See the map filed under Permit # 71660 for the location of Middle Valley Well.

counsel@water-law.com _____
E-mail Address

(775) 786-8800 _____
Phone No.

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

Laura A. Schroeder _____
Type or print name clearly

By  _____
Signature, applicant or agent

Schroeder Law Offices, P.C. _____
Company Name

PO Box 40400 _____
Street Address or P.O. Box

Reno, NV 89504-4400 _____
City, State, Zip Code

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

STATE OF NEVADA
2009 MAR 26 AM 11:39