



THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: JULIAN TOMERA RANCHES, INC
BATTLE MOUNTAIN DIVISION

Source: UNDERGROUND

Basin: LOWER REESE RIVER VALLEY

Manner of Use: IRRIGATION

Period of Use: January 1st to December 31st

Priority Date: 08/27/1969

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 25246, Certificate 7589, is issued subject to the terms and conditions imposed in said Permit 25246, Certificate 7589 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 78249, 78252, 78253 and 78254 shall not exceed 1,517.48 acre-feet.

The total combined duty of both the underground water and surface water under Permits 78249, 78250, 78251, 78252, 78253 and 78254 shall not exceed 1680 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 2.0 cubic feet per second or 184.04 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:

December 13 2011

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

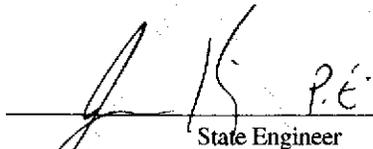
December 13 2012

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

December 13 2012

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of December, A.D. 2010



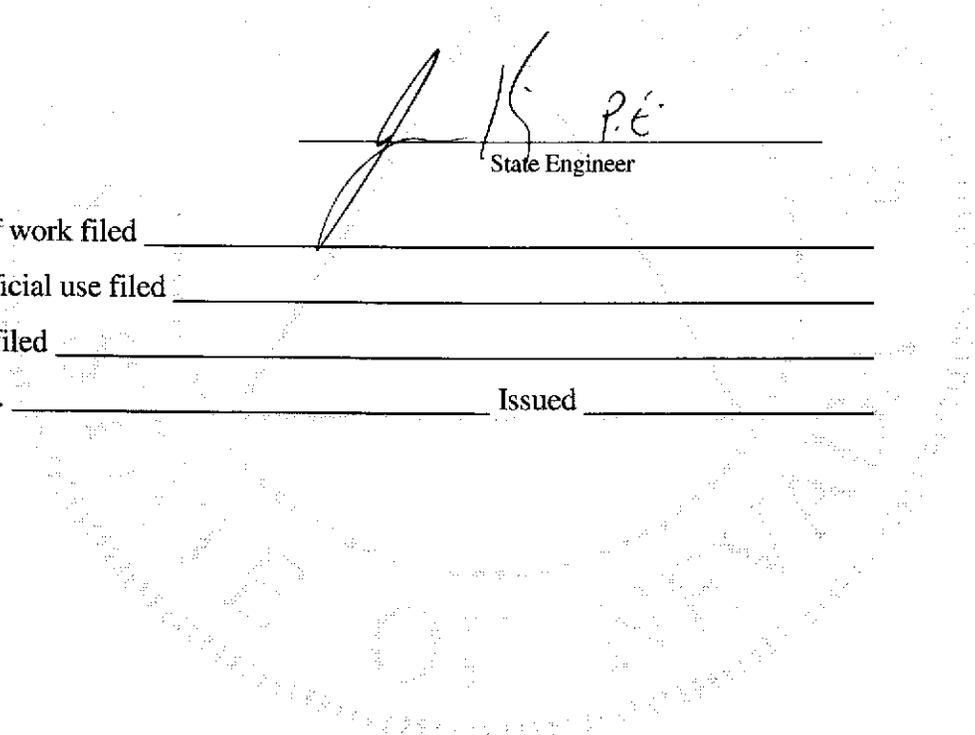
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____



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 APR 13 2009
Returned to applicant for correction APR 20 2009
Corrected application filed APR 30 2009 Map filed APR 30 2009 under 78249

The applicant Julian Tomera Ranches, Inc., Battle Mountain Division

PO Box 276 of Battle Mountain
Street Address or P.O. Box City or Town
Nevada 89820-0276, 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 #25246 (cert. #7589).

- The source of water is underground (Middle well)
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 2.0 c.f.s. (184.04 acre-feet)
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- 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.
- The water heretofore used for irrigation
If for stock, state number and kind of animals.
- 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 NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T.31N., R45E, M. D. M., ^{or at a point} from which the SE corner of said Section 36 bears S.19°02'E., 2,801 ft. dist.
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
Lot 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 31, T.31N., R46E, M. D. M., ^{or at a point} from which the SW corner of said Section 31 bears S.3°24'W., 3,087 ft. dist.

MAP 25246

REL

REL

59-LD

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
420 acres, within portions of S½S½ Section 25, S½SE¼ Section 26, E½ Section 35, Section 36, T. 31N., R.45E., M.D.M., and portions of W½ Section 31, T.31N., R.46E., M.D.M.
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.)
105.98 acres within the NE¼, Section 36, and 3.03 acres with the SE¼, Section 36, T.31N., R.45E., M. D. M.
9. Proposed use will be from same as existing to _____ of each year.
Month and Day Month and Day
10. Existing 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.)
existing drilled and cased well, pump, motor; pipeline to nearby small pond, then distribution by booster pump through ditches and secondary pipelines in place of use.
12. Estimated cost of works estimate \$30,000.00
13. Estimated time required to construct works existing works as described above
If well completed, describe well.
14. Estimated time required to complete the application of water to beneficial use three 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.)
Water from this and other surface and underground sources will be co-mingled and distributed to irrigated fields within described proposed place of use.
16. Miscellaneous remarks:
A report of conveyance for a small remnant of this base right (0.13 c.f.s./12.12 acre-feet/3.03 acres), in SE¼ Section 36 is being simultaneously filed. Please send copies of notices and correspondence to the undersigned agent.

(775) 738-2121
Phone No.

wnisbet@chilton-inc.com
E-mail

By William A. Nisbet, Agent
Print or type name clearly
William A. Nisbet
Signature, applicant or agent
Chilton Engineering & Surveying, Ltd.
Company Name
421 Court Street
Street Address or P.O. Box
Elko, NV 89801-3527
City, State, Zip Code

RECEIVED
 2009 APR 13 PM 2:35
 STATE ENGINEERS OFFICE

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

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION