

## 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:** HENNING BLUE SKY INVESTMENTS, LLC  
**Source:** UNDERGROUND  
**Basin:** CARSON DESERT  
**Manner of Use:** MUNICIPAL  
**Period of Use:** January 1st to December 31st  
**Priority Date:** 09/21/1998

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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 and manner of use of the waters of an underground source as heretofore granted under Permit 64467 is issued subject to the terms and conditions imposed in said Permit 64467 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 permittee shall report to the State Engineer on an annual basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit. Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

(Continued on Page 2)

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The place of use under this permit is limited to Churchill County Assessor's Parcel Number (APN) 008-421-34.

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 0.05 cubic feet per second or 4.48 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

December 3, 2010

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

December 3, 2019

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 December, A.D. 2009

Tracy Taylor, P.E.  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

llb

**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 JUN 29 2009

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed MAR 23 2005 under 72404

The applicant Henning Blue Sky Investments, LLC

1351 West Williams Avenue of Fallon

Street Address or P.O. Box City or Town

Nevada, 89406, 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 # 64467

1. The source of water is Underground  
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.05 second feet, not to exceed 1.46 million gallons annually  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Municipal  
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 Commercial  
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.)  
SW¼-NW¼ of Section 35, T. 19 N., R. 28 E., M.D.B. & M. or at a point from which the Northwest corner of said Section 35 bears N 42°50'39"W, a distance of 1,973.0'. See Map accompanying permit # 72404 for proposed point of diversion.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
NE¼-SE¼ of Section 27, T. 19 N., R. 28 E., M.D.B. & M. or at a point from which the East ¼ corner of said Section 27 bears N 64°24'04" E, a distance of 609.97'. See Map accompanying permit # 64467 for existing point of diversion.

101-ctt

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)  
See attached Exhibit "A" and refer to Sheet 3 of 3 of map accompanying permit # 76541 for depiction of the proposed place of use.

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.)  
5.08 acres located in a portion of the NE¼-SE¼ of Section 27, T. 19 N., R. 28 E., M.D.B.& M. See Map accompanying permit # 64467 for existing place of use.

9. Proposed use will be from January 1 to December 31 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.)  
Drilled well, Pump, Storage tank, & Distribution System

12. Estimated cost of works \$250,000

13. Estimated time required to construct works 3 years  
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 10 years

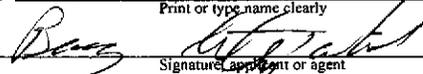
15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):  
(Failure to provide a detailed description may cause a delay in processing.)  
Henning Blue Sky Investments, LLC is dedicating these water rights to Churchill County in exchange for being able to hookup to the County's water system in the future. A Report of Conveyance transferring ownership to Churchill County will be filed shortly.

16. Miscellaneous remarks:

(775) 883-7077  
Phone No.

bfitzpatrick@lumosengineerin  
E-mail

By Barry A. Fitzpatrick, S.W.R.S. 817  
Print or type name clearly

  
Signature, applicant or agent

Lumos & Associates, Inc.  
Company Name

800 E. College Parkway  
Street Address or P.O. Box

Carson City, Nevada 89706  
City, State, Zip Code

STATE ENGINEERING PERMIT  
2009 JUN 29 PM 1:32

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

**\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION**

## Exhibit "A" - Proposed Place of Use

TWN	RNG	Sections
20N	26E	1-4, E½ 5, E½ 8, 9-16, E½ 17, E½ 20, 21-28, E½ 29, E½ 32, 33-36
20N	27E	1-36
20N	28E	1-36
20N	29E	1-36
20N	30E	1-36
20N	31E	1-36
20N	32E	W½ 4, 5-8, W½ 9, W½ & S½ 16, 17-21, 29, 30
19N	26E	1-4, E½ 5, E½ 8, 9-36
19N	27E	1-36
19N	28E	1-36
19N	29E	1-36
19N	30E	1-36
19N	31E	2-11, 14-22, 27-33
18N	26E	1-30, 32-36
18N	27E	1-36
18N	28E	1-36
18N	29E	1-36
18N	30E	1-36
18N	31E	W½ 4, 5-8, W½ 9, W½ 16, 17-20, W½ 21, W½ 28, 29-32, W½ 33
17N	28E	1-3, 10-15, 21-28, 33-36
17N	29E	1-36
17N	30E	1-36