Permit No. 78752

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:	**ECHEVERRIA PUMPING, LLC**
Source:	**UNDERGROUND**
Basin:	**WINNEMUCCA SEGMENT**
Manner of Use:	**COMMERCIAL**
Period of Use:	**January 1st to December 31st**
Priority Date:	**11/14/1973**

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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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 74421 is issued subject to the terms and conditions imposed in said Permit 74421 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water 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 78751 and 78752 shall not exceed 10.0 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.

(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 0.1553 cubic feet per second or 10.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **April 27, 2012**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **April 27, 2015**

Map in support of proof of beneficial use shall be filed on or before: **N/A**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of **April**, A.D. **2010**

K. [illegible] P.E.

for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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Application No. 78752

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 JUL 20 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 20 2009 under 78751

The applicant Echeverria Pumping, LLC., a Nevada limited liability company

P.O. Box 1525 (Street Address or PO Box) of Winnemucca (City or Town)

Nevada 89445 (State and ZIP Code) hereby make(s) application for permission to change the

☑ Point of diversion ☑ Place of use ☐ Manner of use ☑ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 74421

1. The source of water is Underground
   Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.155 cfs, not to exceed 10.00 acre-feet annually
   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Commercial
   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.)
   within the NW ¼ SE ¼ of Section 29, T.36N., R.37E., M.D.B.&M., or at a point from which the North ¼ Corner of said Section 29 bears N 10° 40' 59" ~~E~~ W, a distance of 3,367.78'. Please refer to Supporting Map filed to accompany this Application.

   A per telecon 7/22/09

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   the NW ¼ NW ¼ of Section 17, T.36N., R.38E., M.D.B.&M. or at a point from which the NW Corner of said Section 17 bears N 36° 57' W, a distance of 502.00'. Please refer to Supporting Map on file for Permit 74421.

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

124.57 acres located within portions of the NE ¼ NW ¼, SE ¼ NW ¼, NE ¼ SW ¼, NW ¼ NE ¼, SW ¼ NE ¼ & NW ¼ SE ¼, all in Section 29, T.36N., R.37E., M.D.B.&M. APN 010-015-03, Humboldt County, Nevada. Please refer to Supporting Map filed to accompany this Application.

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.)

11.0 acres located within the W ½ NW ¼ of Section 17, T.36N., R.38E. M.D.B.&M., Lying West of US Highway 95. Please refer to supporting map on file for Permit 74421

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

10. Existing use permitted from January 1st (Month and Day) to December 31st (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.)

Drilled and cased well, equipped with motor, pump, meter and distribution system

12. Estimated cost of works $100,000

13. Estimated time required to construct works 5 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.)

Water will be used under this Application to augment natural precipitation to facilitate the treatment of septage and grease trap material applied to the land for beneficial use as a soil amendment at a nutrient deficient site as authorized under current Discharge Permit NEV2001519 issued by the Nevada Division of Environmental Protection.

16. Miscellaneous remarks:

The total combined duty under this Application Application to change a portion of Permit 74422 shall not exceed 10.00 ac-ft per year. This Application abrogates the remaining portion of Permit 74421.

Timothy P. Donahoe
Type or print name clearly

tdonahoe@tecreno.com
E-mail Address

Signature, applicant or agent

(775) 352-7800
Phone No.

TEC - Civil Engineering Consultants
Company Name

9480 Double Diamond Parkway #200
Street Address or PO Box

Reno, NV 89521
City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09 $200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: August 3, 2009, by Keith and Janet Kubichek
Pro. Overruled 2-11-2010 See Ruling #6025