

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: DANIEL H. RUSSELL AND ROBERTA A. RUSSELL
Source: UNDERGROUND
Basin: DIAMOND VALLEY
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 10/06/1960

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 of the waters of an underground source as heretofore granted under Permit 22315, Certificate 6263 is issued subject to the terms and conditions imposed in said Permit 22315, Certificate 6263 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 from this well under Permits 78905 and 78906 shall not exceed 1683.6 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.

The proof of beneficial use submitted in support of Permits 78905 and 78906 must contain sufficient information to quantify water use under each individual permit appurtenant to the southwest quarter of section 28 and the north half of Section 29, Township 21N, Range 53E.

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 2.7 cubic feet per second or 584.4 acre-feet annually and shall not exceed 4.0 acre-feet per acre from any and/or sources.**

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

October 20, 2012

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

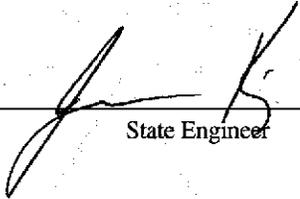
October 20, 2015

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

October 20, 2015

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 October, A.D. 2010



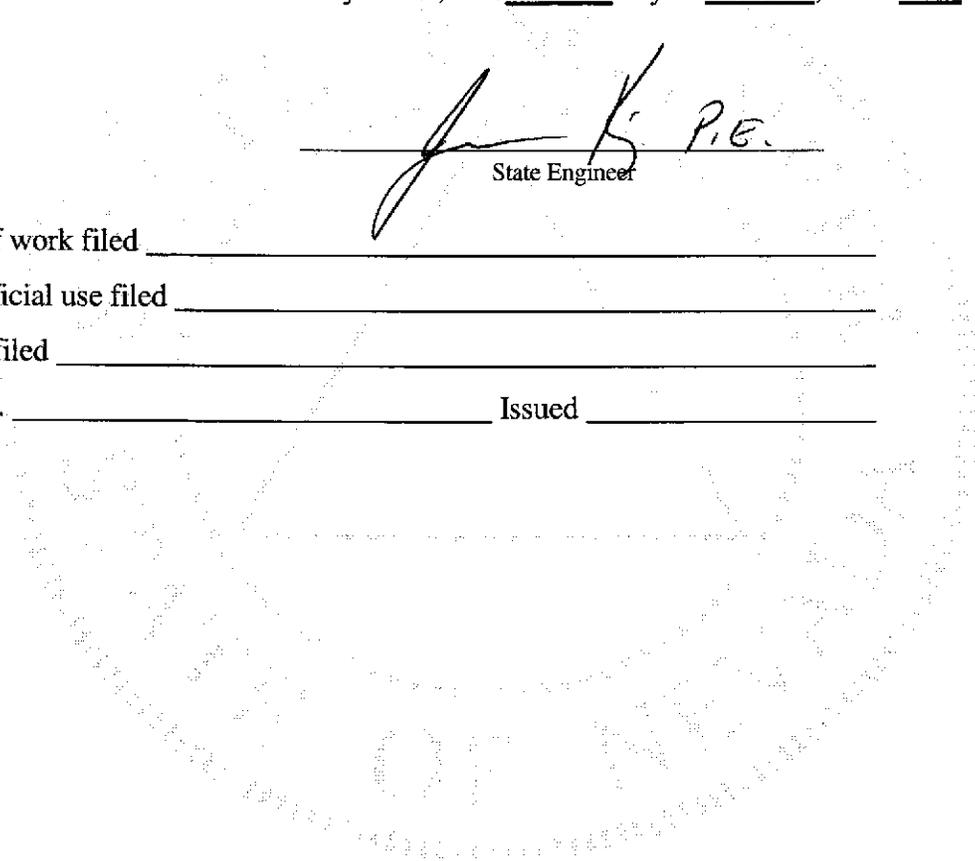
State Engineer

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 SEP 21 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed SEP 21 2009

The applicant Daniel H. Russell and Roberta A. Russell

P.O. Box 920 of Lake Oswego
Street Address or P.O. Box City or Town

Oregon 97034, 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 No. 22315, Certificate No. 6263

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

2. The amount of water to be changed 2.7 c.f.s. (584.4 acres feet annually)
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 Irrigation
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 so stated.)
SW1/4 NE1/4 of Section 28, T.21 N., R.53 E., M.D.B.& M., at a point from which the North 1/4 corner of said Section 28, bears N 12° 44' 37" W, 2636.17 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer)
SW1/4 SW1/4 of Section 28, T.21 N., R.53 E., M.D.B.& M., at a point from which the Southwest Corner of said Section 28, bears S 45° 06' 00" W, 1800.00 feet.

153-EL

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
Portions of the SW1/4 of Section 28, T.21 N., R.53 E., M.D.B. & M., 40.00 acres in the NE1/4 SW1/4,
38.8 acres in the NW1/4 SW1/4, 30.0 acres in the SE1/4 SW1/4 and 37.3 acres in the SW1/4 SW1/4,
all in said Section 28, for a total of 146.1 acres.

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.)
Same as proposed

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.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump, and motor, etc.)
a drilled & cased well equipped with a motor, pump, pipelines and sprinklers

12. Estimated cost of works \$10,000.00

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 5 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)

This application changes the point of diversion under Permit 22315, Certificate No. 6263 due to the
fact that the existing well does not produce enough water to irrigate the certificated acreage. The
waters under this application are to irrigate a total of 146.1 acres within the existing and proposed
place of use.

16. Miscellaneous remarks:

remorley@frontiernet.net
E-mail Address

775-735-4053
Phone No.

By Robert E. Morley
Print or type name clearly

Robert E. Morley
Signature, applicant or agent

High Desert Engineering, LLC
Company Name

640 Idaho Street
Street address or P.O. Box

Elko, Nevada 89801
City, State, Zip Code

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

RECEIVED
2009 SEP 21 PM 2:03
STATE ENGINEERS OFFICE