Permit No. 79036

THE STATE OF NEVADA

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

Name of applicant:	**STEWART-NEVADA ENTERPRISES, LLC**
Source:	**UNDERGROUND**
Basin:	**PAHRANAGAT VALLEY**
Manner of Use:	**IRRIGATION**
Period of Use:	**January 1st to December 31st**
Priority Date:	**07/22/1998**

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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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 69085 is issued subject to the terms and conditions imposed in said Permit 69085 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. 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 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 Permit 13041, Certificate 4804, Permit 79036 and Permit 79037 shall not exceed 1382.0 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.

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 3.5 cubic feet per second or 932.0 acre-feet annually, but not to exceed 5.0 acre-feet per acre from any all sources.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **September 16 2012**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **September 16 2015**

Map in support of proof of beneficial use shall be filed on or before: **September 16 2015**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 16th day of **September**, A.D. **2010**

P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Application No. 79036

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 NOV 20 2009

Returned to applicant for correction

Corrected application filed Map filed NOV 20 2009 under 79034

The applicant Stewart-Nevada Enterprises, LLC

13605 Charismatic Court (Street Address or PO Box) of Reno (City or Town)

Nevada 89521 (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.)

Application 69085

1. The source of water is Underground - Well #6
   Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 3.5 c.f.s., 932.0 AFA
   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 stated.)

   NE¼SE¼ Section 24, T.3 S., R.60 E., MDM, or at a point from which the E¼ corner of said Section 24 bears North 78°36'29" East, a distance of 700.48 feet (Well #6)

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

   SW¼SE¼ Section 24, T.3 S., R.60 E., MDM, or at a point from which the N¼ corner of Section 1, T.4 S., R.60 E., MDM bears South 2°53'40" West, 11,693.46 feet

   Use Proof of Beneficial Use map on file at the Division of Water Resources under Permit 13041 to support the existing point of diversion.

209-L1

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

186.4 acres within the SE¼SE¼ Section 13; NE¼NE¼, S½NE¼, SE¼ Section 24; NE¼ Section 25; all in T.3 S., R.60 E., MDM; SW¼SW¼ Section 18; W½NW¼, NW¼SW¼ Section 19; all in T.3 S., R.61 E., MDM.
186.4 acres will be irrigated within proposed Pivot #5 through Pivot #8, however a larger place of use is requested at this time since the acreage within each pivot is approximate and the locations of the pivots are not exact. The NE¼ of Section 25 is included to facilitate commingling of water with future changes to Well #5 to accommodate Pivot #4.

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.)

224 acres within the NW¼SE¼, NE¼SE¼, SW¼SE¼, SE¼SE¼ Section 24; NW¼NE¼, NE¼NE¼, SE¼NE¼, SW¼NE¼ Section 25; T.3 S., R.60 E., MDM.
Use map on file at the Division of Water Resources under Application 40955 to support the existing place of use.

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

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

well, pump, motor, pipeline to pivot irrigation sprinkler

12. Estimated cost of works over $50,000

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 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 is being filed together with three other applications for Stewart-Nevada Enterprises, LLC. These four applications are in response to Item 5 on page 2 of the Settlement Agreement And Mutual Release between Stewart-Nevada Enterprises, LLC and Tracy Taylor, P.E., Nevada State Engineer signed in October 2009. Together the four applications propose to irrigate a total of 224 acres, with a duty not to exceed 1120 acre-feet annually.
The water under this application will also be commingled with an application to change Application 69086 being filed concurrently, for the irrigation of 186.4 acres and a total combined duty of 932.0 acre-feet annually.

16. Miscellaneous remarks:

In the future, connection of Wells #6 and #8 to Well #5 to facilitate commingling of water is anticipated. Additional changes will be filed to accomplish this process.

2009 NOV 20 PM 4:28
STATE ENGINEER'S OFFICE

Bruce R. Scott
Type or print name clearly

Signature, applicant or agent

E-mail Address

(775) 883-1600
Phone No.

340 North Minnesota Street
Company Name

Carson City, Nevada 89703
Street Address or PO Box

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