



THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of applicant: YOUNG BROS, A NEVADA GENERAL PARTNERSHIP
Source: SHOSHONE CREEK
Basin: BIG SMOKY VALLEY-NORTHERN PART
Manner of Use: POWER
Period of Use: January 1st to December 31st
Priority Date: 01/21/2010

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 is issued subject to all existing rights on the source and with the understanding that all of the water herein granted will be returned to the stream at the point designated in the application, free from deleterious matter, and with the further understanding that the proof of beneficial use, when filed, will show the power generated and the amount of water required and used therefore. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use be kept. 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued for a non-consumptive use of the water of Shoshone Creek. The water diverted shall be returned to the source undiminished in quantity or quality.

The issuance of this permit does not increase the diversion rate allowed from Shoshone Creek under permittee's existing water rights, being Permit 13065, Certificate 3451 and Permit 67297.

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 1.6 cubic feet per second.**

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

February 25 2012

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

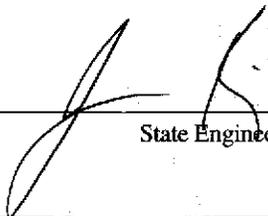
February 25 2014

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 25th day of **February**, A.D. **2011**



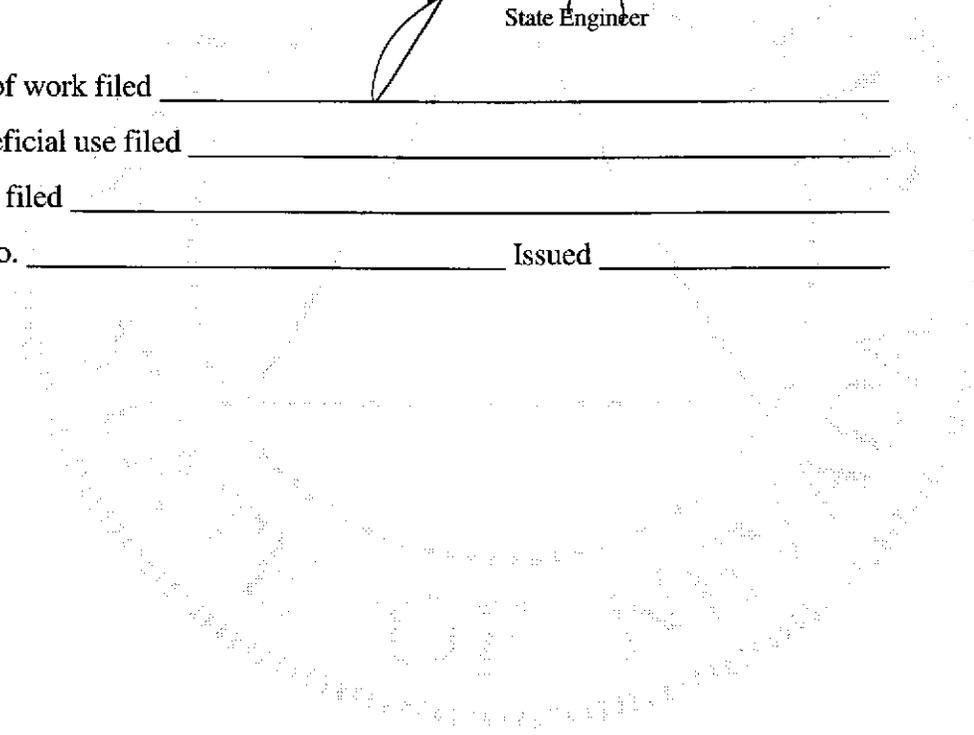
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____



APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY	
Date of Filing in State Engineer's Office	<u>JAN 21 2010</u>
Returned to applicant for correction	_____
Corrected Application filed	_____ Map filed <u>JAN 21 2010</u> under <u>79231</u>

The applicant Young Bros, a Nevada General Partnership
HC65 Box A of Austin
Street Address or P.O. Box City or Town
Nevada, 89310 hereby make(s) application for permission to appropriate the
State and ZIP Code

public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Ralph A. Young - Managing Member
Paul Young - Member

1. The source of water is Shoshone Creek
Name of the stream, lake, underground, spring or other sources.
2. The amount of water applied for is 1.6 cfs (Non-consumptive use - Power Generation)
One second foot equals 448.83 gallons per minute.
 - (a) If stored in a reservoir give the number of acre-feet Not Applicable (N/A)
3. The water is to be used for Power Generation (the maximum rate is noted in 2.0 above)
Irrigation, power, mining, commercial, domestic or other use. Must be limited to one major use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated N/A
 - (b) Stockwater, state number and kind of animals N/A
 - (c) Other use (describe fully in No. 12) N/A
 - (d) Power:
 - (1) Horsepower developed Home Ranch Project 93KW (124.6 Hp)
 - (2) Point of return of water to stream See description under item 13.

1373-LA

5. The water is to be diverted from its source 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.)

Shoshone Creek - Within the NE1/4 SW1/4 of Section 18, T16N, R44E MDB&M, at a point from which the Southeast Corner of Section 17, T16N, R44E MDB&M, bears South 78°00'15" East, a distance of 8309.59 feet.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

Within a portion of the NE1/4 NE1/4, of Section 21, T16N, R44E MDB&M.

7. Use will begin about 1/1 and end about 12/31 of each year.
Month and Day Month and Day

8. Description of proposed works. (Under the provisions 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 and flumes, drilled well with a pump and motor, etc.)

The water will be directed into the hydro turbine by extending the existing pipeline (penstock). After the water exists the hydro turbine it will flow into the existing stream bed. The flow path is altered by less than 20'.

9. Estimated cost of works: Home Ranch \$381,600

10. Estimated time required to construct works: 6 months

(If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 12 months

12. 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.)

No water will be consumed. The water usage will not change with the exception of diverting the water from the existing pipe into a hydro turbine and then returning the water to the existing stream channel. The project will have minimal impact to the existing stream flow system. The project is located on private property and the owner has the water rights to make the project viable (see permit number 13065 for Shoshone Creek).

13. Miscellaneous remarks:

The proposed point of return is within the NE1/4 NE1/4 of Section 21, T16N, R44E MDB&M, at a point from which the northeast corner of said section 21 bears North 73°10'00" East, a distance of 350.00 feet.

ejesse@nevadacontrols.com

E-mail Address

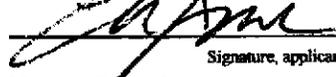
775-841-6501

Phone No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Everett A. Jesse for Young Bros, a NV General Partnership

Type or print name clearly



Signature, applicant or agent

Nevada Controls, LLC

Company Name

5576 Bighorn Drive

Street Address or PO Box

Carson City, Nevada 89701

City, State, ZIP Code

Revised 07/09 \$300 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

-w/o pro. 9-30-10
 Protested: March 5, 2010, by Kingston Town Board, March 25, 2010 by Gary Kemp, Mike Hoffman, John Miles, James L. Wood, Emmett O. McKenzie, March 26, 2010, by Lander County Nevada
 Pro. Overruled 12/22/10 See Ruling #6086 *w/o pro. 10/1/10*