



TEMPORARY

THE STATE OF NEVADA

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

Name of applicant: **SAMUEL & CLARE BEHIMER**
Source: **TRUCKEE & CARSON RIVERS**
Basin: **CARSON DESERT**
Manner of Use: **IRRIGATION**
Period of Use: **AS DECREED**
Priority Date: **AS DECREED**

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 temporary permit, to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees, is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 15, 2010** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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 45.535 acre-feet as decreed.**

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

N/A

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

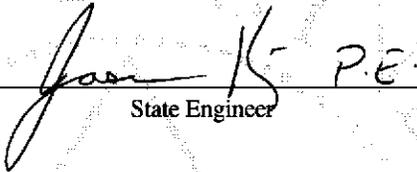
N/A

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 4th day of May, A.D. 2010

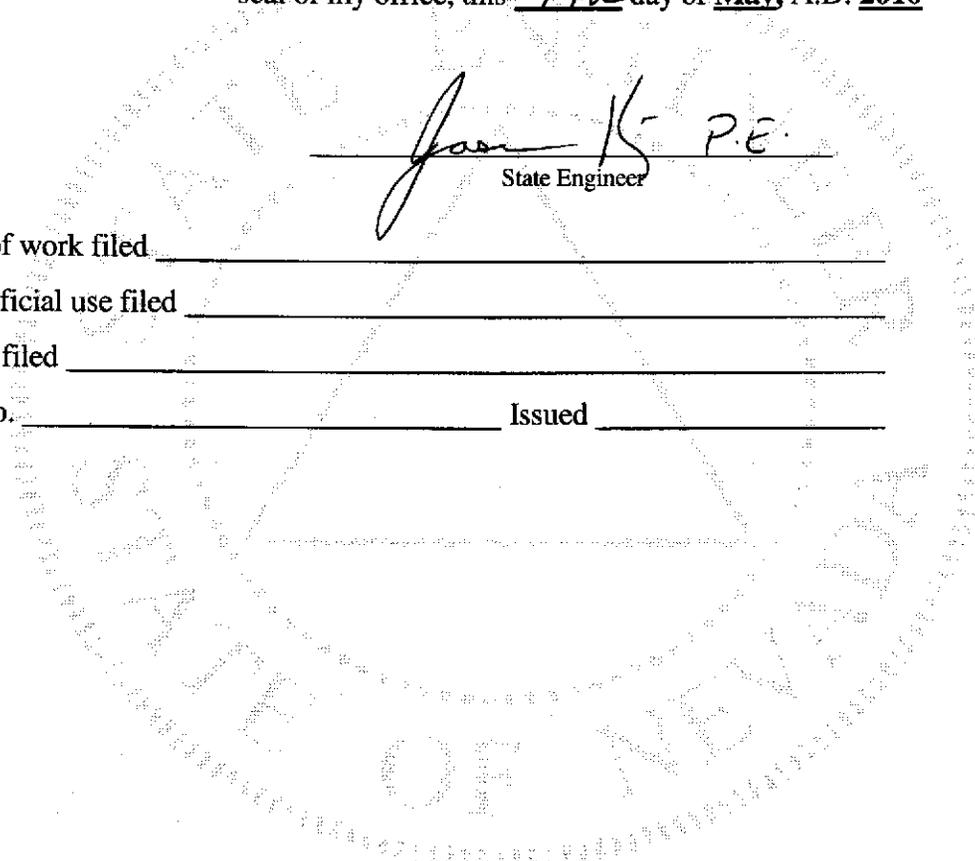

State Engineer

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 MAR 1 1 2010

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAR 1 1 2010

The applicant Samuel & Clare Behimer

490 Norcutt Lane of Fallon

Street Address or P.O. Box City or Town

NV, 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.)

United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the Federal District Court of Nevada.

1. The source of water is Truckee and Carson Rivers
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 13.01 ac. @ 3.5 = 45.535 a/f
Second foot, 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 as decreed
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.)
Lahontan Dam within SW1/4 SE1/4 Section 33, T19N., R26E., M.D.B.&M.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

8-101
CH

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
NW SW 11.91 ac., NE SW 1.10 ac. Section 18, T17N., R29E., M.D.B.&M. TCID Serial No. 45-1

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.)
NW SE 8.40 ac., SW SE 2.00 ac. SE SE 2.61 ac. Section 27, T19N., R28E., M.D.B.&M. TCID Serial No. 553

9. Proposed use will be from As decreed to As decreed of each year.
Month and Day Month and Day

10. Existing use permitted from As decreed to As decreed 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.)

12. Estimated cost of works Complete

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

14. Estimated time required to complete the application of water to beneficial use N/A

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 to be delivered through existing ditches to reclaim a portion of land stripped of water right by the State of Nevada

16. Miscellaneous remarks:

behimer@cccomm.net
E-mail Address
775-423-7432
Phone No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

SAMUEL R. BEHIMER
Type or print name clearly
Samuel R Behimer
Signature, applicant or agent
490 MARCUTT LANE
Company Name
Fallon, NEVADA 89406
Street Address or PO Box
City, State, ZIP Code

2011 JUN 1 11:04

Original

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MyWay Investments
525 W Williams Ave.
Fallon, Nevada 89406

2010 MAR 11 AM 11:04

STATE OF NEVADA

March 03, 2010

To Samuel & Clare Behimer,

This is to confirm that we are renting to you 13.01 acres of water right for the sum of \$1,301.00, per year, taxes included.

The property this water is being used on is approximately 10 miles south of Fallon on the G-line canal, TCID serial no. 45-1.

This agreement shall be in force for two years. At that time it will be re-negotiated.

There is one condition to this agreement. If the water is not actually applied to the above referenced property by June 1, 2010, this agreement is null and void, and the water will revert back to MyWay to be used on a different property.

Sincerely,

Charmaine Christie

Charmaine Christie
Presiding Member

Samuel & Clare Behimer March 8, 2010