

**TEMPORARY**  
**THE STATE OF NEVADA**

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

**Name of applicant:** PROCK REVOCABLE TRUST & SMITH ENTERPRISES TRUST  
**Source:** CLOVERDALE CREEK  
**Basin:** BIG SMOKY VALLEY-TONOPAH FLAT  
**Manner of Use:** MINING AND MILLING  
**Period of Use:** February 1st to November 30th  
**Priority Date:** 01/01/1864

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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 temporary permit to change the point of diversion, place and manner of use of a portion of the waters of the Cloverdale Creek heretofore appropriated under the undetermined claim of vested right as evidenced by Proof of Appropriation of Water V05320 is issued with the understanding that no other rights on the source will be affected by the change proposed herein. A totalizing meter must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times. This permit is issued subject to any determination of the waters of the Cloverdale Creek that may be made under adjudication proceedings under NRS 533.090 through 533.320.

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 1 year after the approval of the permit 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 0.1 cubic feet per second or 20.0 acre-feet annually.**

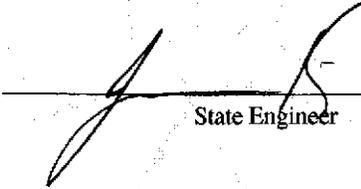
Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: N/A

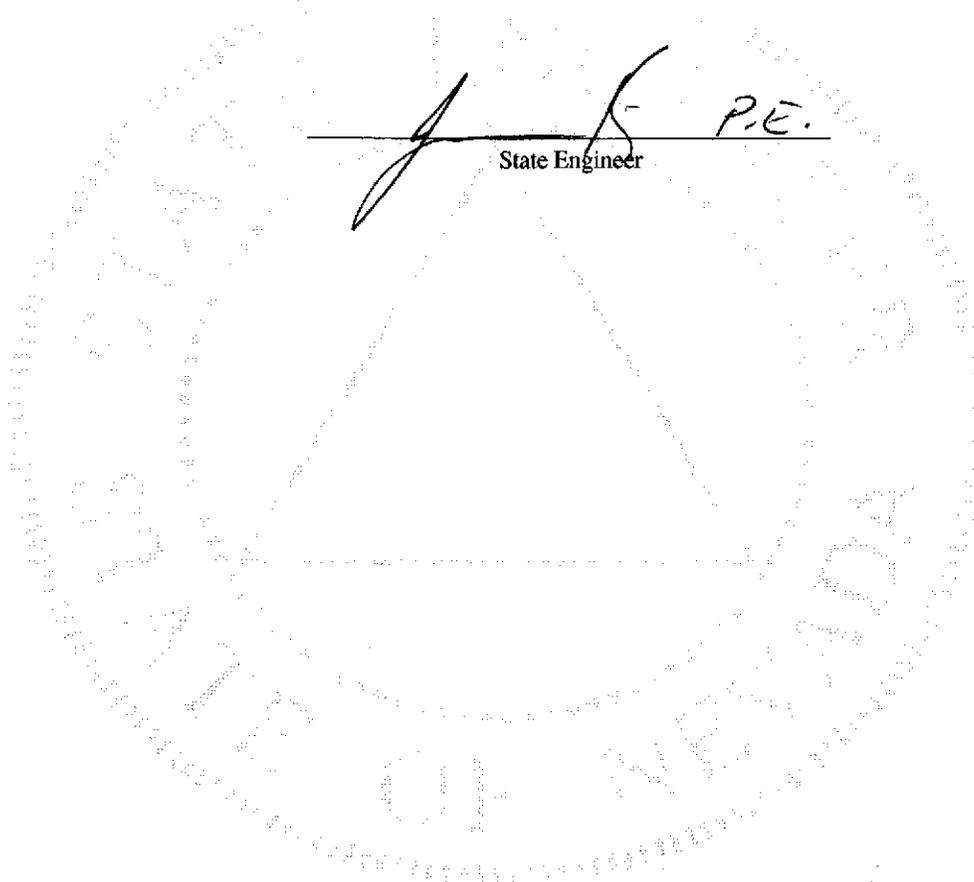
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: N/A

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 29<sup>th</sup> day of September, A.D. 2010

 P.E.  
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State Engineer



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 AUG 13 2010

Returned to applicant for correction AUG 19 2010

Corrected application filed SEP 07 2010 Map filed SEP 07 2010

The applicant Prock Revocable Trust and Smith Enterprises Trust  
7200 Circle Parkway of Sacramento  
Street Address or PO Box City or Town  
California 95823 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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

claim #05320

1. The source of water is Cloverdale Creek, an intermittent stream  
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.1 cfs / 20.0 acre-feet  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for mining, milling & de-watering  
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.)  
within the NE $\frac{1}{4}$ NW $\frac{1}{4}$  Section 24, T.8N., R.39E., M.D.M. from which the W.1/16 corner common to Sections 13 & 24, in said township, bears N.7 $^{\circ}$ 21'W., 312.6 ft. dist.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
the SW $\frac{1}{4}$ SW $\frac{1}{4}$  Sec. 12, T.8N., R.39E., M.D.M. or at a point from which the SW corner of Sec. 13, in said township, bears S5 $^{\circ}$ 52'W., 5,570 ft. dist.

