



THE STATE OF NEVADA
PERMIT TO APPROPRIATE WATER

Name of Permittee: MICHAEL G. AND THERESA Y. MARVEL FAMILY TRUST
Source: UNDERGROUND
Basin: GRASS VALLEY
Manner of Use: STOCKWATERING
Period of Use: JANUARY 1ST TO DECEMBER 31ST
Priority Date: 01/11/2011

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. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If 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 but does not take responsibility for the use of the Federal range.

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 under Permits 80401, 80402, 80403 and 80404 shall not exceed the amount sufficient to water 250 head of cattle, but not to exceed 5.6 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 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 0.008 cubic feet per second or sufficient to water 90 head of cattle, but not to exceed 2.02 acre-feet annually.

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

October 6 2013

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

October 6 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 6th day of October, A.D. 2011

Jason King, P.E.
Seal State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

80402

Application No.

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 JAN 11 2011

Returned to applicant for correction _____

Corrected Application filed _____ Map filed JAN 21 2011 under 80401

The applicant Michael G. & Theresa Y. Marvel Family Trust
P.O. Box 1194 of Battle Mountain
Street Address or P.O. Box City or Town

NV 89820
State and ZIP Code

hereby make(s) application for permission to appropriate the

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.)

1. The source of water is Underground
Name of the stream, lake, underground, spring or other sources.

2. The amount of water applied for is 0.008
One second foot equals 448.83 gallons per minute.

(a) If stored in a reservoir give the number of acre-feet _____

3. The water is to be used for Stock water
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 _____

(b) Stockwater, state number and kind of animals 250 head of cattle

(c) Other use (describe fully in No. 12) _____

(d) Power:

(1) Horsepower developed _____

(2) Point of return of water to stream Underground

71-7E

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.)

^{1/4 1/4 2 1/2 1/4}
R 38E, M D B M; or at a point from which the NW SE, Sec. 3, T 30N SW Cor. of Sec. 10, M D B M, bears S 24° 5' 20.6" W, a distance of 8,252.1 feet.

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

^{1/4 1/4}
NW SE, Sec. 3, T 30N R 38E, M D B M.

7. Use will begin about Jan. 1 and end about Dec. 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.)

Repair or redrill existing mineral exploration well on site. Install solar pump & troughs.

9. Estimated cost of works: \$ 15,000.

10. Estimated time required to construct works: 2 years

(If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 1 year

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.)

Provide 5,000 gpd water for 250 head of cattle; 0.008 CFS. Install solar pump on well and install watering troughs.

13. Miscellaneous remarks:

None.

RECEIVED
2011 JAN 11 AM 11:05
STATE ENGINEERS OFFICE

Theresa Marvel

Type or print name clearly

Theresa Marvel

Signature, applicant or agent

Michael G. & Theresa Y. Marvel Family Trust

Company Name

PO Box 1194

Street Address or PO Box

Battle Mountain, Nevada

City, State, ZIP Code

89820

E-mail Address
775-635-5450
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT