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**

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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 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**

for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Application No. 80404

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 NOV 12 1968 under 24753

The applicant Michael G. & Theresa Y. Marrel Family Trust

P.O. Box 1194 (Street Address or P.O. Box) of Battle Mountain (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 Stockwater (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 _____

Revised 07/09

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80404

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.) SW¼SW¼ Sec. 22, T31N R39E, MDBM; or at a point from which the NW Cor. Sec. 21, T31N R39E, MDBM, bears N46° 32' West, a distance of 7,469.9 feet.

KO 1/12/10

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated) SW¼SW¼ Sec. 22, T31N R39E, MDBM.

7. Use will begin about Jan 1 (Month and Day) and end about Dec. 31 (Month and Day) of each year.

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. Install Solar well & troughs.

9. Estimated cost of works: $10,000

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: Map for Cert. 7856 is already on file/ref. Eng. office.

RECEIVED 2011 JAN 11 AM 10:01 STATE ENGINEERS OFFICE

Theresa Y. Marvel
Type or print name clearly

Theresa Y Marvel
Signature, applicant or agent

Michael G & Theresa Y Marvel Family Trust
Company Name

PO Box 7194
Street Address or PO Box

Battle Mountain, NV 89820
City, State, ZIP Code

E-mail Address

775-635-5450
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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

Protested: February 18, 2011, by the Bureau of Land Management W/D 7-26-11