THE STATE OF NEVADA

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

Name of Permittee:	**LOUIS BERGERON AND PAULA BERGERON**
Source:	**UNDERGROUND**
Basin:	**ELKO SEGMENT**
Manner of Use:	**IRRIGATION**
Period of Use:	**MARCH 1ST TO OCTOBER 31ST**
Priority Date:	**05/08/1978**

****

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 to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 35400, Certificate 10728, is issued subject to the terms and conditions imposed in said Permit 35400, Certificate 10728 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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 0.0426 cubic feet per second or 11.85 acre-feet seasonally, but not to exceed 4.0 acre-feet per acre of land irrigated from any and/or all sources.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**August** 30 **2013**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**August** 30 **2014**
Map in support of proof of beneficial use shall be filed on or before:	**August** 30 **2014**

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 30th day of **August,** A.D. **2011**

J. K. P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Application No. 80834

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 MAY 0 6 2011

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAY 0 6 2011

The applicant Louis Bergeron and Paula Bergeron

212 Cottonwood Drive (Street Address or P.O. Box) of Elko (City or Town)

Nevada 89801 (State and Zip Code), hereby make(s) application for permission to change the

☑ 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)

Permit 35400, Certificate 10728

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

2. The amount of water to be changed 0.0426 cfs 11.852 acre feet
   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation and Domestic
   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 and Domestic
   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 so stated.)
   SW1/4 SE1/4 of Section 7, T.34 N., R.55 E., M.D.B. & M., at a point from which the Southeast Corner of said Section 7 bears S 78° 09' 04" E, 1363.67 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer)
   SW1/4 SE1/4 of Section 7, T.34 N., R.55 E., M.D.B. & M., at a point from which the Southeast Corner of said Section 7 bears S 72° 29' 28" E, 1891.28 feet.

49-EL

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
Portions of the SW1/4 SE1/4 of Section 7, T.34 N., R.55 E., M.D.B.& M., being Assesor's parcel number 006-09B-016. 2.963 acres to be irrigated (See question 15)

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.)
Portions of the SW1/4 SE1/4 of Section 7, T.34 N., R.55 E., M.D.B.& M. (See Question 15)

9. Use will be from March 1st (Month and Day) to October 31st (Month and Day) of each year.

10. Use permitted from March 1st (Month and Day) to October 31st (Month and Day) of each year.

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.
Drilled well, pump, pipelines and sprinkler system

12. Estimated cost of works $10,000

13. Estimated time required to construct works 3 years
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 5 years

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)
The original place of use of Permit 35400, Certificate 10728 encompassed portions of two adjacent parcels controlled by one owner at the time the permit was certificated. The original owner sold one of the parcels to the Bergerons who are the applicants under this application. A report of conveyance has been filed to update title to the Bergerons portion of Permit 35400. The purpose of this application is to change the point of diversion and place of use of the Bergerons portion of Permit 35400 to allow them to drill their own well on what is now their property and to illustrate where within the original place of use their portion of Permit 35400 being 2.963 acres will be irrigated.

16. Miscellaneous remarks:

2011 MAY -6 PM 1:12

Robert E. Morley
Type or print name clearly

Robert E. Morley
Signature, applicant or agent

remorley@frontiernet.net
E-mail Address

(775) 738-4053
Phone No.

High Desert Engineering, LLC
Company Name

640 Idaho Street
Street address or P.O. Box

Elko, Nevada 89801
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09

$200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION