



## THE STATE OF NEVADA

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

**Name of Permittee:** BENTLY FAMILY LIMITED PARTNERSHIP  
**Source:** UNDERGROUND  
**Basin:** CARSON VALLEY  
**Manner of Use:** IRRIGATION  
**Period of Use:** JANUARY 1ST THROUGH DECEMBER 31ST  
**Priority Date:** 08/16/1955

\*\*\*\*\*

#### 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 16719, Certificate 5952 is issued subject to the terms and conditions imposed in said Permit 16719, Certificate 5952 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 total combined duty of water rights in this well under Permit 8494, Certificate 2060; Permit 30232, Certificate 9771; and Permit 1360 shall not exceed 1,089.32 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 0.671 cubic feet per second or 157.12 acre-feet annually, but not to exceed 4.0 acre-feet per acre from all sources.

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

October 25 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 25 2014

Map in support of proof of beneficial use shall be filed on or before:

October 25 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 25<sup>th</sup> day of October, 2012

K. L. King P.E.  
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 DEC 08 2011
Returned to applicant for correction DEC 15 2011
Corrected application filed FEB 14 2012 Map filed FEB 14 2012

The applicant Bently Family Limited Partnership
PO Box 127 of Minden
Street Address or PO Box City or Town
Nevada, 89423 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.)

Permit No. 16719, Certificate 5952

- 1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 157.12 acre-feet annually
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 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 stated.)
within the NE1/4 SW1/4 Section 8, T13N, R20E, MDB&M, or at a point from which the the SW corner of said Section 8 bears S 60°10'33" W a distance of 2,895.55 feet.

- 6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
within the SW1/4 NE1/4 Section 7, T13N, R20E, MDB&M,
or at a point from which the NE corner of said Section 7 bears N29°02'00"E, a distance of 2,786.78 feet.

2012 FEB 14 PM 1:21

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

No change from existing place of use.

39.28 acres within the NW1/4 SE1/4 Section 6, T13N, R20E, MDB&M.

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.)

39.28 acres within the NW1/4 SE1/4 Section 6, T13N, R20E, MDB&M.

Please note that Permit 16719, Certificate 5952 contains 39.96 acres within the NW1/4 SE1/4 Section 6, T13N, R20E, MDB&M. However, the current parcel map shows only 39.28 acres of land subject to this application.

9. Proposed use will be from January 1st to December 31st of each year.  
Month and Day Month and Day

10. Existing use permitted from January 1st to December 31st 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.)

Existing 16" cased well 423 feet deep is equipped with 100 hp pump, pipeline protection appurtenances, flow meter, and pipeline. Pipeline will be completed to place of use and irrigation shall be completed via wheel move sprinklers.

12. Estimated cost of works \$100,000.00

13. Estimated time required to construct works One (1) Year

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Two (2) 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.)

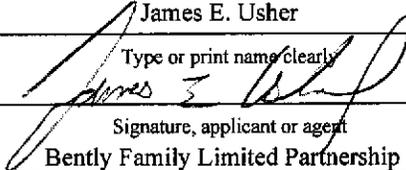
Project changes point of diversion to an irrigation well located on the Owner's property. Irrigation mainline exists to the boundary of the project area. This mainline will be extended to distribute water to the project area. Irrigation will be changed from flood irrigation to wheel move sprinkler irrigation when this water right is utilized.

16. Miscellaneous remarks:

This Application is being submitted concurrently with a Report of Conveyance, from Aldax et al. to Bently Family Limited Partnership, of this portion of Permit 16719 based upon Bently Family Limited Partnership's purchase of parcel no. 1320-06-002-001. This Application is intended to apply only to the place of use owned by the Applicant.

jim.usher@bpb-co.com  
E-mail Address  
(775) 782-4513  
Phone No. Ext.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

James E. Usher  
Type or print name clearly  
  
Signature, applicant or agent  
Bently Family Limited Partnership  
Company Name  
PO Box 127  
Street Address or PO Box  
Minden, Nevada 89423  
City, State, ZIP Code

2012 FEB 14 PM 1:21