



TEMPORARY

THE STATE OF NEVADA

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

Name of Permittee: F M FULSTONE, INC
Source: UNDERGROUND
Basin: SMITH VALLEY
Manner of Use: IRRIGATION
Period of Use: ONE YEAR FROM DATE OF ISSUANCE
Priority Date: 04/07/1961

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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 19734, Certificate 6434, is issued subject to the terms and conditions imposed in said Permit 19734, Certificate 6434, 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.

The total combined duty of water under temporary Permit 81601T and any water from the Walker River Decree C-125 and any storage water appurtenant to the place of use shall not exceed 433.60 acre-feet annually for the irrigation of 108.20 acres within the described place of use.

This temporary permit for underground water is issued as a supplemental water supply to land that has surface water. The underground water is to be used to the extent that surface water is not available. The permit holder is responsible for insuring delivery of the surface water from entitled decreed, flood and storage rights that these permits supplement. In any year that the Federal Water Master and the Walker River Irrigation District declare a full allocation of decreed and decree supplemental storage water to the priority years of C-125 claims that this permit supplements, underground water under this permit shall not be pumped. Additionally, underground water under this permit shall only be pumped from the well described in this permit to supplement the total allocation of Walker River Irrigation District's "newlands" storage water.

(Continued on Page 2)

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 for underground water is issued as a supplemental water supply to that land that has surface water rights from the Walker River from Claim Number 3 (Archer, L.J., Successor to Louis Saroni, p.13) of the Walker River Decree C-125, Permit 5528, Certificate 8859, and from storage water provided by the Walker River Irrigation District. Irrigation shall not exceed a duty of 4.0 acre-feet per acre per season from the total of decreed, storage, flood and underground waters.

The issuance of Permits 81599T, 81600T and 81601T reduces the total combined duty of Permit 70927 and Permit 19734, Certificate 6434 by 866.4 acre-feet annually to 1,547.36 acre-feet annually for the irrigation of 386.84 acres.

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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 2.7 cubic feet per second or 433.6 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:

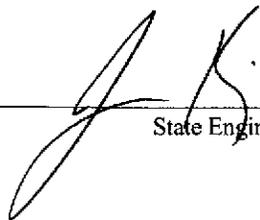
N/A

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 12th day of July, 2012

 P.E.

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 FEB 21 2012
Returned to applicant for correction
Corrected application filed Map filed MAR 15 2002 under 68620T

The applicant F.M. Fulstone, Inc.
P.O. Box 34 of Smith
Nevada, 89430 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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)
Permit #19734 C-6434

- 1. The source of water is underground water well
2. The amount of water to be changed 2.7 cfs 433.60 afa
3. The water to be used for irrigation
4. The water heretofore used for irrigation
5. The water is to be diverted at the following point
6. The existing point of diversion is located within

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

34.5 acres NE 1/4, SE 1/4

5.0 acres NW 1/4, SE 1/4

32.5 acres SW 1/4, NE 1/4

30.0 acres SE 1/4, NE 1/4

6.4 acres SE 1/4, NW 1/4 ALL in Section 12, T. 10N., R. 23E. MDB&M (108.4 acres total)

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.)

see Schedule A and copy of permit #68620-T

(this application and 2 accompanying Temporary Change applications will transfer all the acreage in the existing POU under previous permit #68620-T)

9. Proposed use will be from January 1, 2012 to December 31, 2012 of each year.

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

existing well drilled under permit 19734 C-6434

12. Estimated cost of works N/A

13. Estimated time required to construct works N/A

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 1 month

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.)

Because of extreme drought (snow pack < 31% average) an emergency exists. This temporary change is much like permit # 75485-T. Please see enclosed map for proposed Place of Use. For a map of the existing Place of Use, please use the map on file under permit #68620-T. This underground well will supplement Walker River Decreed land on POU map.

16. Miscellaneous remarks:

The Parshall flume measures the discharge into the river. The water will be diverted upstream into the Saroni canal. This delivery system has been approved by Jim Shaw, the water master and Ken Spooner, WRID manager. Ken Spooner agrees there is no need for a 10% reduction for conveyance loss.

fulstoneranches@mvqn.net

E-mail Address

775-465-2341

Phone No.

Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Steven A. Fulstone

Signature, applicant or agent

F.M. Fulstone, Inc.

Company Name

P.O. Box 34

Street Address or PO Box

Smith, NV 89430

City, State, ZIP Code

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PER EMAIL WHR 2/23/12

Schedule A – Existing Place of Use

28.6 acres NE 1/4, NE 1/4

28.6 acres SE 1/4, NE 1/4

20.6 acres NE 1/4, SE 1/4

12.2 acres NW 1/4, SE 1/4

40.0 acres NW 1/4, NW 1/4

14.0 acres NE 1/4, NW 1/4

14.0 acres SW 1/4, NW 1/4

28.0 acres SW 1/4, SW 1/4

2.3 acres SE 1/4, SW 1/4

28.3 acres NW 1/4, SW 1/4 ALL in Sec. 35, T. 11N., R. 23E. MDB&M

216.6 acres total

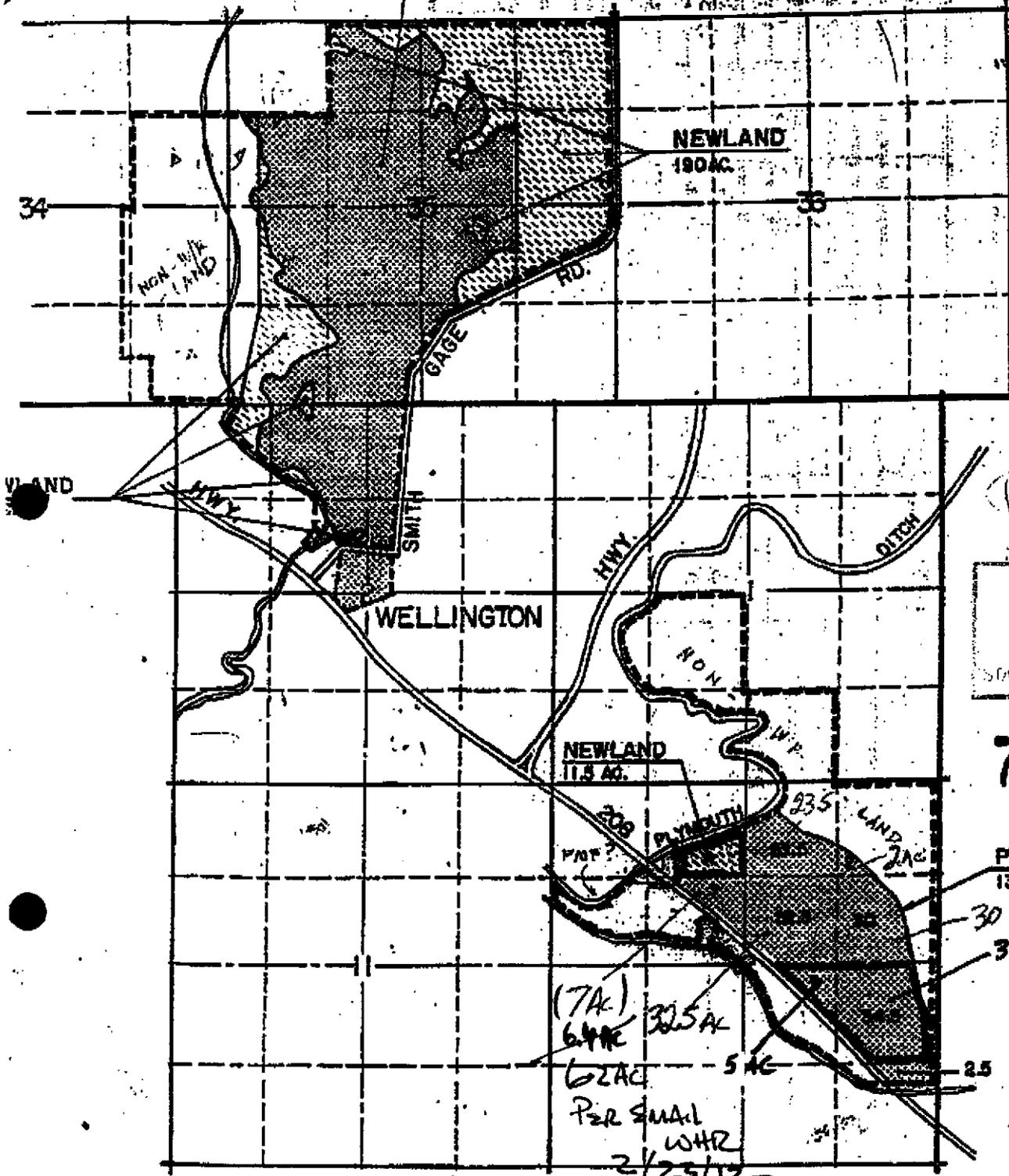
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PART OF CLAIM 49

357.17 AC. TOTAL

R23E

R24E



769987

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FILED
MAR 26 2007
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75485T

PT. OF CLAIM 3
137 AC.
30 AC
34.5 AC

Windy

1" = 2000'

PRESENT WATER RIGHTS MAP - LOCATION N# 4

OWNERSHIP: F. M. FULSTONE INC.

DATE DRAWN: FEB. 12, 1986

56200T

PROPOSED PLACE OF USE

MAP TO ACCOMPANY
APPLICATION FOR A
TEMPORARY WATER RIGHT

FILED
APR 16 1987
STATE ENGINEER'S OFFICE

SHEET 1 OF 2

~~KASMET~~