



TEMPORARY

THE STATE OF NEVADA

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

Name of Permittee: BENTLEY FAMILY TRUST
Source: STUTLER CREEK
Basin: CARSON VALLEY
Manner of Use: RECREATIONAL
Period of Use: EXPIRES OCTOBER 15, 2012
Priority Date: 01/01/1905

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 and manner of use of the waters of Stutler Creek heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation of Water V06338 is issued with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times. This permit is issued subject to the Order of Determination of the Relative Rights In and To the Waters of Mott Creek, et al, of the waters of Stutler Creek that may be made under this adjudication proceeding under NRS 533.090 through 533.320.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire October 15, 2012, at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be temporarily transferred shall consist of the full flow of Stutler Creek and the commingled waters of the north split of Sheridan Creek and Gansberg Spring in a rotation scheme of distribution. This water may be diverted during the time allotted to the Pestana property, further described as Douglas County Assessor's Parcel No. 1219-14-001-014, consisting of 23.76 acres of water-righted ground. This permit is issued subject to the approval of the modified irrigation rotation schedule by the Ninth Judicial District Court of the State of Nevada In and For Douglas County, Case No. : 08-CV-0363-D; Dept. No. : I, which includes the Pestana property. These rights may be placed to use on the Bentley parcel and are subject to the same sharing agreements as set forth in the initial 2011 and the 2012 irrigation schedules.

(Continued on Page 2)

Upon approval of the rotation agreement by the court this permit may be initiated only at the beginning of one of the 21-day irrigation rotation cycles occurring between April 1, 2012 and October 15, 2012. Further, these rights may be shared as set forth under Footnote No. 1 of the recommended rotation schedule.

This permit is issued subject to the terms and conditions as set forth in State Engineer's Ruling No. 6123, dated June 8, 2011.

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 0.1 cubic feet per second or 35.4 acre-feet seasonally.**

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 30th day of March, A.D. 2012

for K.L. Hurd 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 MAR 20 2012
Returned to applicant for correction
Corrected application filed Map filed SEP 30 1996 under V06305

The applicant Bentley Family Trust, James W. Bentley Trustee
853 Sheridan Lane of Gardnerville
Nevada, 89460
Street Address or PO Box City or Town
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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Proof of Appropriation V-06338

- 1. The source of water is Stutler Creek
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.1 c.f.s. [35.4 acre-feet seasonally]
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Recreation
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
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.)
In the SE 1/4 NE 1/4 of Section 16, T. 12 N., R. 19E., M.D.B.&M., from which the SE corner of said Section 16 bears S. 7 deg. 10' 24" E., a distance of 2,892.59 feet [please refer to POD map filed under V-06339]
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
No Change

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

Two existing ponds with interconnecting surface flow structures located within portions of the following:
7.60 acres in the SW 1/4 NW 1/4 section 14, T. 12 N., R. 19 E., M.D.B.&M., and
2.76 acres in the SE 1/4 NW 1/4 section 14, T. 12 N., R. 19 E., M.D.B.&M., and
2.57 acres in the NW 1/4 SW 1/4 section 14, T. 12 N., R. 19 E., M.D.B.&M., [See Map Filed under V-06305]

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.)

7.42 acres in the NW 1/4 NW 1/4 Section 14, T. 12 N., R. 19 E., M.D.B.&M., and
15.62 acres in the SW 1/4 NW 1/4 Section 14, T. 12 N., R. 19 E., M.D.B.&M., and
0.72 acres in the SE 1/4 NE 1/4 Section 15, T. 12 N., R. 19 E., M.D.B.&M.
23.76 acres total [See POU map filed under V-06339]

9. Proposed use will be from April 1 to October 15 of each year.
Month and Day Month and Day

10. Existing use permitted from April 1 to October 15 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.)

Head gate, pipeline, and ditches which are already in place.

12. Estimated cost of works \$0.0 - Already in Place

13. Estimated time required to construct works n/a - already in place
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use n/a

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.)

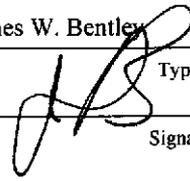
Lease of irrigation water from the Pestana 1986 Family Trust to divert flow through the north diversion of Sheridan Creek. Diverted flow will be consistence with Sheridan Creek North Diversion rotation schedules. The point of diversion will not change, the water will be diverted at the same location. Water will be diverted on a continuous basis when North Diversion is not under rotation schedule. Water will be diverted per rotation schedule during period when the rotation schedule is implemented.

16. Miscellaneous remarks:

Water will be used for Recreational Purposes. Applicant has two existing ponds - water will be used to maintain water levels in ponds for fish habitat- propagation.

oldbentley@gmail.com
E-mail Address
(714) 412-0685
Phone No. Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

James W. Bentley
Type or print name clearly

Signature, applicant or agent

Company Name
853 Sheridan Lane
Street Address or PO Box
Gardnerville, Nevada 89460
City, State, ZIP Code

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Lessor: The Marital Trust, established under the Pestana 1986 Family Trust, as amended

Lessee: Jim Bentley

Lessor hereby grants and transfers to Lessee all water rights Lessor is currently entitled to as fee simple owner of the property formally known as 933 Sheridan Lane, Gardnerville, NV 89460 (APN: 1219-14-001-014) (the "Property"), which Property consists of approximately 23.76 acres of raw land.

This agreement shall commence April 15, 2012 (the "Commencement Date") and continue on a month-to-month basis, cancellable by either party upon thirty (30) day advance written notice from one party to another, until October 15, 2012 (the "Expiration Date"), upon which date Lessee no longer has any interest in the Property's water rights and Lessor again retains the same.

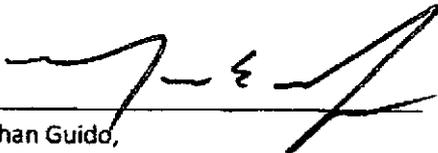
Lessee shall prepay to Lessor, as rental consideration (hereinafter referred to as "Rent") for the subject Property's water rights, the sum of \$1,500.00. The check should be made payable to Pestana Properties. If for any reason Lessor terminates this agreement before the Expiration Date, Lessor will refund Lessee the amount of any unearned Rent, prorated using a thirty (30) day month.

Lessee shall have no right to access the subject Property for any reason whatsoever unless Lessor's consent has been previously obtained in writing. Any violation of this agreement shall immediately render this agreement null and void.

The parties hereto have executed this Lease Agreement to be effective as of the Commencement Date

Lessor: The Marital Trust, established under the Pestana 1986 Family Trust, as amended

Lessee: Jim Bentley



Nathan Guido,
Authorized Agent



Jim Bentley

2/2/12

Date

3-20-12

Date

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