



THE STATE OF NEVADA

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

Name of Permittee: JIMMIE DALE AND KAY ANN LEE
Source: N. FORK FITZHUGH CREEK
Basin: STEPTOE VALLEY
Manner of Use: IRRIGATION
Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST
Priority Date: 04/24/1908

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 place of use of a portion of the waters of North Fork of Fitzhugh Creek as heretofore granted under Permit 935, Certificate 4689 is issued subject to the terms and conditions imposed in said Permit 935, Certificate 4689 and 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 and maintained 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 does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permit 321, Certificate 4688 and Permit 935, Certificate 4689, Permits 66939, 81866 and 81867 shall not exceed 286.5 acre-feet annually for the irrigation of 95.5 acres within the described place of use.

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 1.03 cubic feet per second or 98.1 acre-feet annually, but not to exceed 3.0 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 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:

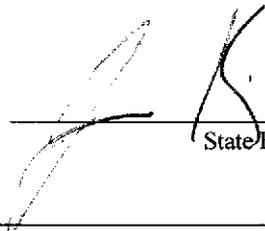
October 30 2015

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

October 30 2015

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 October, 2012



State Engineer P.E.

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 MAY 08 2012

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUN 26 1924 under 935

The applicant Jimmie Dale & Kay Ann Lee
HC 33 Box 33585 of Ely
Street Address or PO Box City or Town
Nevada, 89301 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. 935; Certificate No. 4689

1. The source of water is N. Fork Fitzhugh Creek
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 1.03 cfs, 98.1 AFA
Second feet, 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
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.)

SE1/4 SW/4 Section 5, T. 20 N., R. 65E., M.D.B. & M., or at a point from which the N1/4 corner of Section 34, T. 21N., R. 64E., M.D.B. & M. bears N. 49° 15' W., a distance of 14,450 feet. MAP 935 SHEET 2

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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179-417

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

N1/2 NW1/4 Section 28, T. 21 N., R. 64E., M.D.B. & 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.)

NW/4 NE1/4, SW1/4 NE1/4, SE1/4 NE1/4, NE1/4 SE1/4, NW1/4 SE1/4, NE1/4 NW1/4, and the SE1/4 NW1/4 of Section 28, T. 21 N., R. 64 E., M.D.B. & M. The following acreage will be removed from irrigation: all acreage within the NW1/4 NE1/4, all acreage within the NE1/4 SE1/4, all acreage within the NW1/4 SE1/4, and all acreage within the SE1/4 NW1/4 all in said Section 28

12.7

14.4

5.1

0.5

TOTAL= 32.7

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.)

Water will be piped through an existing irrigation network to the new place of use.

12. Estimated cost of works \$50,000.00

13. Estimated time required to construct works Two (2) Years

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Three (3) 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 permittee is moving the water to more productive portions of the ranch to make better use of the water and land. Water will be piped through an existing irrigation network to the new place of use.

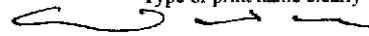
16. Miscellaneous remarks:

almberg@basineng.com
E-mail Address
(775) 289-9800
Phone No. Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Emil W. Alberg, Jr., P.E./P.L.S.

Type or print name clearly



Signature, applicant or agent

Basin Engineering Corporation

Company Name

1070 E. Aultman Street

Street Address or PO Box

Ely, NV 89301

City, State, ZIP Code

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