



THE STATE OF NEVADA

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

Name of Permittee: SCHWARTZ LIVING TRUST AGREEMENT
Source: UNDERGROUND
Basin: CARSON VALLEY
Manner of Use: QUASI-MUNICIPAL AND DOMESTIC
Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST
Priority Date: 03/23/1977

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 66286 is issued subject to the terms and conditions imposed in said Permit 66286 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 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 0.016 cubic feet per second or 4.04 acre-feet annually.**

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

September 4 2014

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

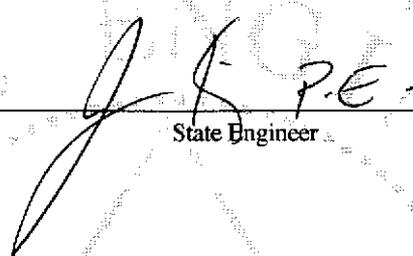
September 4 2016

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

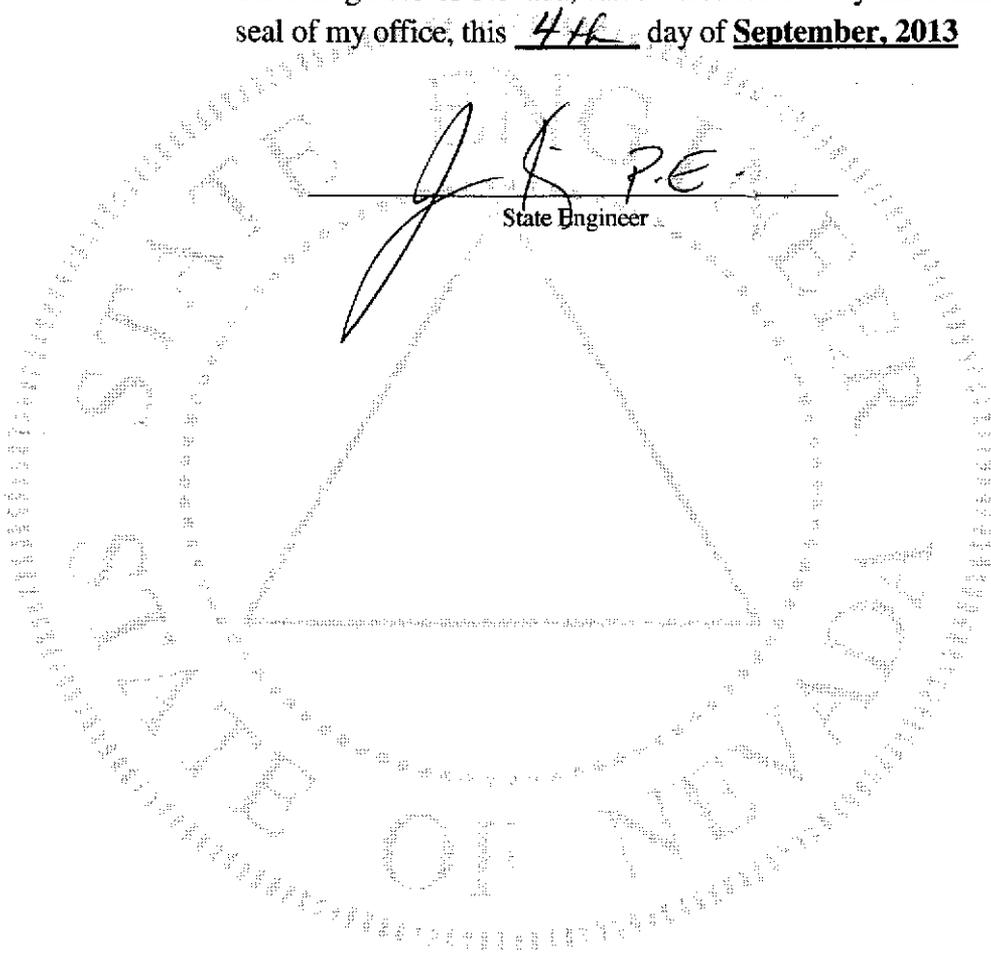
N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 4th day of **September, 2013**



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 NOV 21 2012

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 12 2006 UNDER 74498

The applicant Daniel S. and Irene S. Schwartz, Trustees of the Schwartz Living Trust Agreement
2883 Esaw 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 66286

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- The source of water is Underground
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 0.0481 cfs, 4.04 acre-feet annually
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi-Municipal
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
- The water heretofore used for Quasi-Municipal
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.)
NE¼SW¼ Section 26, T. 14N., R. 20E., M.D.M., or at a point from which the W¼ corner of said Section 26 bears N. 82°11' 32" W., a distance of 1,824 feet.
Please use the map filed under Application 74498 to support the Proposed Point of Diversion

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
NE¼NE¼ Section 33, T. 14N., R. 20E., M.D.M., or at a point from which the N¼ corner of said Section 33 bears N. 68°38'00" W., a distance of 2,676.0 feet.
Please use the map filed under Application 38624 to support the Existing Point of Diversion.

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

A portion of the NW¼NE¼SW¼ Section 26, T. 14N., R. 20E., M.D.M.; 7.13 acres;

Please use map filed under Application 74498 to support the Proposed Place of Use under this application.

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 Attachment

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

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

Well, pump, motor and extensive water distribution system to serve a extensive orchard.

12. Estimated cost of works in excess of \$50,000

13. Estimated time required to construct works Well is complete

If well completed, describe well.

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

Water rights to be changed under this application are consistent with a Tri-Party Agreement among the Town of Minden (Minden), Douglas County (County) and Daniel S. and Irene S. Schwartz, Trustees of the Schwartz Living Trust (Schwartz), which provides for the exchange between the County and Schwartz of comparable water rights under Schwartz-owned Permit 58531 & County-owned Permit 66286, and subsequent change of the portion conveyed to County into a Minden municipal well for County service. The County will convey ownership of the existing water rights under this application to the Schwartz's upon notice by DWR of pending approval of the proposed change.

16. Miscellaneous remarks:

This water is to support an extensive orchard and trees on the Applicant's property. This water is to meet the additional water needs in excess of the allowance for their domestic well. Please send copies of all notices and correspondence to Douglas County Public Works, Attn. Ron Roman, 1120 Airport Road, Bldg. F-2, Minden, NV 89423

rci-nv.com
E-mail Address
775-883-1600
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Bruce R. Scott, Agent

[Signature]
Type or print name clearly

Resource Concepts, Inc.
Signature, applicant or agent

340 N. Minnesota Street
Company Name

Carson City, NV 89703
Street Address or PO Box

City, State, ZIP Code

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ATTACHMENT FOR APPLICATION TO CHANGE PERMIT 66286

ITEM 8 – EXISTING PLACE OF USE

Within Douglas County, Nevada:

W $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 2; all Section 3; N $\frac{1}{2}$, SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4; all of Section 5; E $\frac{1}{2}$ Section 6; E $\frac{1}{2}$ Section 7; all of Section 8; W $\frac{1}{2}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 9; N $\frac{1}{2}$ Section 10; NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, portion NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11; NW $\frac{1}{4}$, portion NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 16; NE $\frac{1}{4}$, portion NE $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 17; portion N $\frac{1}{2}$ NE $\frac{1}{4}$ Section 18; all within T. 13N., R. 20E., M.D.B.&M.

S $\frac{1}{2}$ SE $\frac{1}{4}$ Section 20; S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 21; SW $\frac{1}{4}$ Section 26; SE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, portion SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27; all of Section 28; S $\frac{1}{2}$, NE $\frac{1}{4}$ Section 29; SE $\frac{1}{4}$ Section 30; E $\frac{1}{2}$ Section 31; all Section 32, 33 and 34; W $\frac{1}{2}$ Section 35, all within T. 14N., R. 20E., M.D.B.&M.

All in Douglas County, Nevada

See supporting map filed under Application 63817-T

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