



## THE STATE OF NEVADA

### PERMIT TO APPROPRIATE WATER

**Name of Permittee:** TOMMY LLC  
**Source:** UNDERGROUND  
**Basin:** CLOVER VALLEY  
**Manner of Use:** IRRIGATION AND DOMESTIC  
**Period of Use:** JANUARY 1ST THROUGH DECEMBER 31ST  
**Priority Date:** 03/12/2013

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#### 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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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.

This permit is also issued subject to the provision that the place of use of the water herein granted is limited to and supplemental to lands having existing surface water rights from Warm Springs under Permit 28104, Certificate 10128. Warm Springs water must be used first prior to any diversion from this underground source.

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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 2.0 cubic feet per second or 512.0 acre-feet annually and 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:

November 1 2015

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

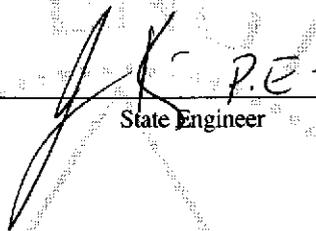
November 1 2018

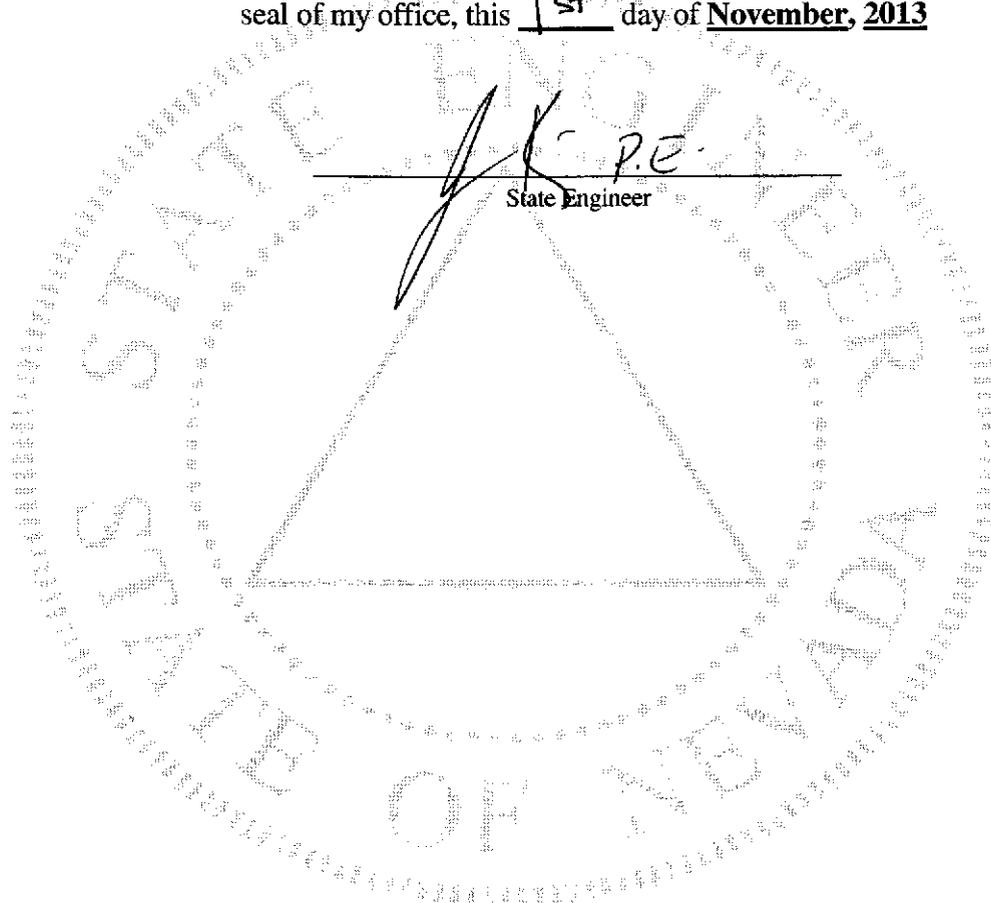
Map in support of proof of beneficial use shall be filed on or before:

November 1 2018

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 1<sup>st</sup> day of **November, 2013**

  
\_\_\_\_\_  
State Engineer



**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

THIS SPACE FOR OFFICE USE ONLY	
Date of Filing in State Engineer's Office	<u>MAR 12 2013</u>
Returned to applicant for correction	<u>MAR 12 2013</u>
Corrected Application filed	Map filed

The applicant Tommy, LLC  
Post Office Box 9866 of Rancho Santa Fe  
Street Address or P.O. Box City or Town

California 92067 hereby make(s) application for permission to appropriate the  
State and ZIP Code

public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)  
December 23, 2010, State of Nevada

1. The source of water is underground  
Name of the stream, lake, underground, spring or other sources.
2. The amount of water applied for is 2.0 c.f.s.  
One second foot equals 448.83 gallons per minute.
  - (a) If stored in a reservoir give the number of acre-feet \_\_\_\_\_
3. The water is to be used for Irrigation and Domestic  
Irrigation, power, mining, commercial, domestic or other use. Must be limited to one major use.
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated 128 Acres
  - (b) Stockwater, state number and kind of animals \_\_\_\_\_
  - (c) Other use (describe fully in No. 12) \_\_\_\_\_
  - (d) Power:
    - (1) Horsepower developed \_\_\_\_\_
    - (2) Point of return of water to stream \_\_\_\_\_

5. The water is to be diverted from its source 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 so stated.)

Lot 4, Section 18, T.33N., R.62E., M.D.B. & M., or at a point from which the E1/4 Corner of Section 12, T.33N., R.61E., M.D.B. & M. bears N. 02 degrees 13' 00" W., 7,633 feet.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

Portions of the NE1/4 SW1/4, SE1/4 SW1/4, Lot 3 and Lot 4 of Section 18, T.33N., R.62E., M.D.B. & M. (128 Acres Total) Elko County, Nevada

7. Use will begin about January 1 and end about December 31 of each year.

Month and Day

Month and Day

8. Description of proposed works. (Under the provisions 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 and flumes, drilled well with a pump and motor, etc.)

Well, pump and motor with distribution lines to pivot and place of use

9. Estimated cost of works: \$200,000.00

10. Estimated time required to construct works: 3 Years

(If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 5 Years

12. 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.)

All lands applied for under this application are entirely supplemental to and water will be comingled with existing surface water rights under Permit 28104, Certificate 10128. This application is being filed to supplement the water of Warm Springs.

13. Miscellaneous remarks:

This Application is entirely supplemental to Warm Springs surface water rights (Permit 28104, Certificate 10128).

chukar@gmail.com

E-mail Address

775.883.6595

Phone No.

Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

James P. Haddan, SWRS #575, Agent

Type of print name clearly

*[Handwritten Signature]*

Signature, applicant or agent

Haddan Engineering, Inc.

Company Name

Post Office Box 2300

Street Address or PO Box

Dayton, Nevada 89403

City, State, ZIP Code

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2013 MAR 12 AM 10:02  
STATE ENGINEERS OFFICE