



TEMPORARY
THE STATE OF NEVADA

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

Name of Permittee: FREY RANCH, LLC
Source: TRUCKEE & CARSON RIVERS
Basin: CARSON DESERT
Manner of Use: IRRIGATION
Period of Use: EXPIRES NOVEMBER 15, 2013
Priority Date: AS DECREED

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 the Newlands Reclamation Project rights in the Truckee and Carson River final decrees and portions of Permits 47817, Certificate 17842, 51038 and 78066 which changed the place of use of a portion the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

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 is issued under the provisions of NRS 533.040 Paragraph 4 and is limited to the irrigation of 988.37 acres within the proposed place of use

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 15, 2013** at which time all rights herein granted shall revert to the rights being changed by this temporary permit.

The point of diversion and place of use are as described on the submitted application to support this temporary 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 3459.29 acre-feet as decreed.**

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:

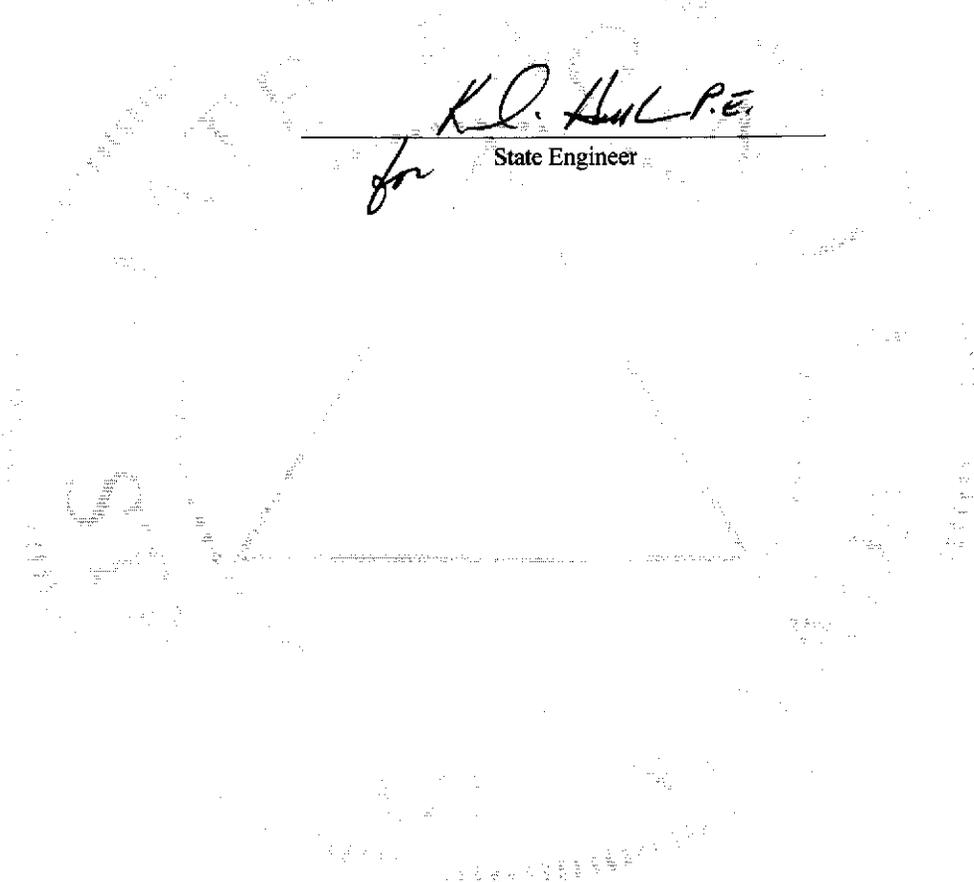
N/A

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 25th day of July, 2013


for K.L. Hull P.E.
State Engineer

TEMPORARY

Application No.

82787



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 06 2013
Returned to applicant for correction
Corrected application filed Map filed MAY 06 2013

The applicant Frey Ranch, LLC
1045 Dodge Lane of Fallon
Nevada, 89406
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.)

United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the Federal District Court of Nevada and permits 47817 (cert.17842) and 51038 & 78066

1. The source of water is Truckee and Carson Rivers
Name of stream, lake, underground, spring or other sources

2. The amount of water to be changed 3459.29 acre-feet
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 As decreed
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.)
Lahontan Dam within the SW 1/4 SE 1/4 Section 33, T19N., R26E., M.D.B.&M.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

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

See Attached

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 attached

9. Proposed use will be from As decreed to As decreed of each year.
Month and Day Month and Day

10. Existing use permitted from As decreed to As decreed 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.)

Dams, Canals and Ditches

12. Estimated cost of works Complete

13. Estimated time required to construct works 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.)

Per NRS 533.040, Paragraph 4

16. Miscellaneous remarks:

1. Portions of the existing place of use in this transfer are based on amended water right maps dated May 8, 1995 filed with the State Engineer's Office. 2. There are 2.31 acres of water right that have been dedicated to Churchill County and are transferred off annually. This water right will never be delivered in place.

buzz@fitzpatrickwr.com
E-mail Address
775-238-3977
Phone No. Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Barry A. Fitzpatrick, S.W.R.S. # 817

Barry A. Fitzpatrick
Type or print name clearly
Signature, applicant or agent

Fitzpatrick Water Rights & Surveying

Company Name

305 N. Carson Street, Suite 203

Street Address or PO Box

Carson City, Nevada 89701

City, State, ZIP Code

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SECTION	TOWNSHIP	RANGE	SUBDIVISION	EXISTING PLACE OF USE (AC)	DUTY AC.-FT.	PROPOSED PLACE OF USE (AC)
1	18 N	29 E	NW¼ NW¼, NE¼ NW¼, SW¼ NW¼, SE¼ NW¼, SW¼ NE¼, NW¼ SW¼, NE¼ SW¼, NW¼ SE¼, SE¼ SW¼, SW¼ SE¼, SE¼ SE¼	13.77 Acres total 78066	3.5	NONE
5	17 N	29 E	SW¼ SW¼	36.05	3.5	
5	17 N	29 E	SE¼ SW¼	37.29	3.5	
5	17 N	29 E	NW¼ SW¼	38.06	3.5	
5	17 N	29 E	NE¼ SW¼	37.11	3.5	
5	17 N	29 E	NW¼ SE¼	38.08	3.5	
5	17 N	29 E	NE¼ SE¼	38.80	3.5	
5	17 N	29 E	SW¼ NW¼	26.63	3.5	
5	17 N	29 E	SE¼ NW¼	27.76	3.5	
5	17 N	29 E	SW¼ NE¼	39.89	3.5	
5	17 N	29 E	SE¼ NE¼	40.38	3.5	
5	17 N	29 E	NW¼ NW¼	34.79	3.5	
5	17 N	29 E	NE¼ NW¼**	33.33(1.27**)	3.5	
5	17 N	29 E	NW¼ NE¼	39.01	3.5	
5	17 N	29 E	NE¼ NE¼	38.58	3.5	988.37 Acres 3.5 DUTY
6	17 N	29 E	SE¼ NE¼**	33.32 (1.04**)	3.5	PER NRS 533.040 (Paragraph 4)
6	17 N	29 E	SE¼ SE¼	17.99	3.5	
7	17 N	29 E	SW¼ SE¼	23.00	3.5	
7	17 N	29 E	SE¼ SE¼	15.00 47817*	3.5	
7	17 N	29 E	SE¼ SE¼	36.90 47817*	3.5	
7	17 N	29 E	NW¼ SE¼	40.00	3.5	
7	17 N	29 E	NE¼ SE¼	38.70	3.5	
8	17 N	29 E	SW¼ NW¼	34.30	3.5	
8	17 N	29 E	SE¼ NW¼	35.73	3.5	
8	17 N	29 E	NW¼ NW¼	35.70	3.5	
8	17 N	29 E	NE¼ NW¼	.08 51038	3.5	
8	17 N	29 E	NE¼ NW¼	34.63	3.5	
32	18 N	29 E	SW¼ SW¼	29.30	3.5	
32	18 N	29 E	SE¼ SW¼	31.10	3.5	
32	18 N	29 E	SW¼ SE¼	37.80	3.5	
32	18 N	29 E	SE¼ SE¼	21.59	3.5	
32	18 N	29 E	NW¼ SE¼	3.70	3.5	
6	17 N	29 E	NW¼ SW¼		3.5	
6	17 N	29 E	NE¼ SW¼		3.5	
6	17 N	29 E	NW¼ SE¼		3.5	
6	17 N	29 E	NE¼ NE¼		3.5	
7	17 N	29 E	NE¼ NE¼		3.5	
TOTAL				988.37		3459.29 A/F

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*CERTIFICATE 17842

** 2.31 acres of water right have been dedicated to Churchill County and are transferred off annually by Churchill County. This water will not be delivered in place.