



TEMPORARY
THE STATE OF NEVADA

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

Name of Permittee: RIGHTWAY INVESTMENTS SMITH VALLEY, LLC
Source: UNDERGROUND
Basin: SMITH VALLEY
Manner of Use: IRRIGATION
Period of Use: ONE YEAR FROM DATE OF ISSUANCE
Priority Date: 10/29/1943

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 point of diversion, place and manner of use of the waters of an underground source as heretofore granted under Permit 68772, is issued subject to the terms and conditions imposed in said Permit 68772 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. 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.

The Permittee shall keep monthly records of the amount of water pumped from this well and the records submitted to the State Engineer within 30 days from the expiration of this temporary permit.

This temporary 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 Permits 68767, 68768, 68770, 68771, 68772, 68773, 68774, 68776, 68777, 69415, 69416, 69417, 69418, 71051, 71052, 71054, 71055, 71056, 71057, 71058, 72979, 74804, 74805, 74806, 74807, 74808, 74809, 77139 and Temporary Permit 83772T shall not exceed 7801.67 acre-feet annually for the irrigation of 1909.36 acres within the described place of use.

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 pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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 1.463 cubic feet per second or 619.9 acre-feet annually.**

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:

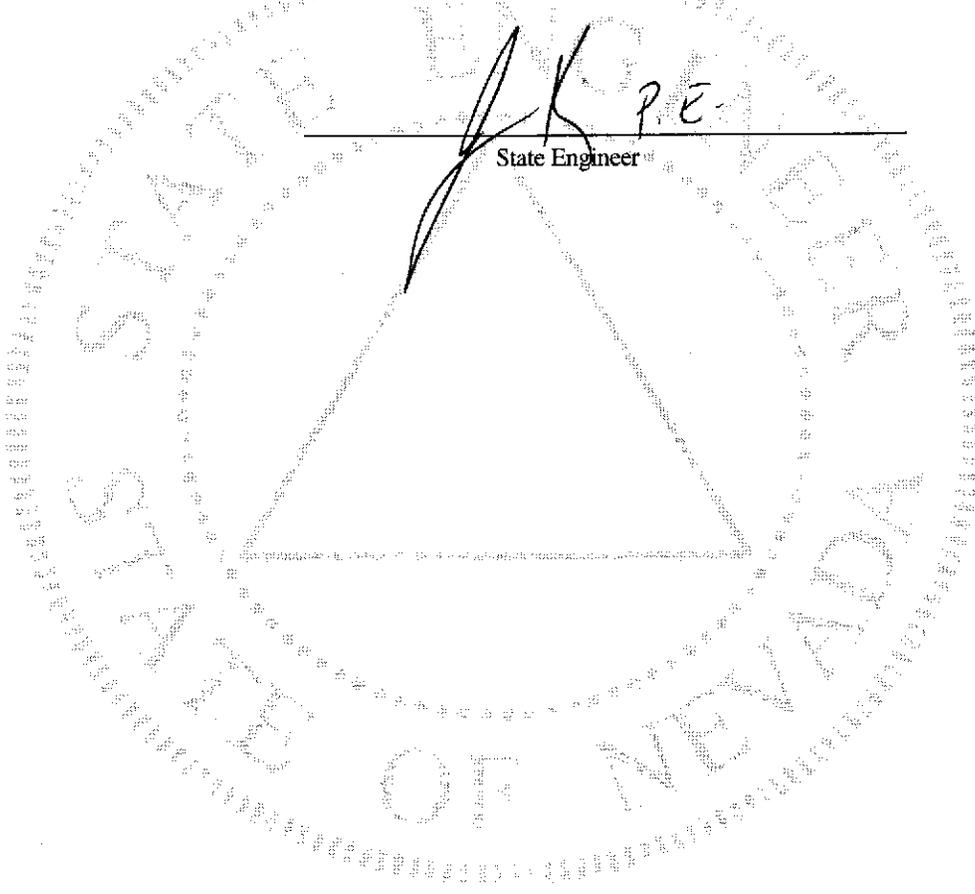
N/A

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 April, 2014



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 APR 24 2014

Returned to applicant for correction _____

Corrected application filed _____ Map filed APR 24 2014

The applicant Rightway Investments Smith Valley, LLC
6121 Lakeside Drive Suite 135 of Reno
Street Address or PO Box City or Town
Nevada, 89511 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 68772

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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 1.463 cfs, not to exceed 619.9 acre-feet annually.
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Irrigation purposes
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 Irrigation and Domestic purposes
If for stock, state number and kind of animals.
- 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.)
within the SW1/4 SE1/4 of Section 26, T.13N., R.23E., MDM or at a point from which the SE corner of said Section 26 bears South 59 degrees 26 minutes 32 seconds East a distance of 2,320.75 feet.
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
within the NE1/4 SE1/4 of Section 4, T.12N., R.23E., MDM or at a point from which the SE corner of said Section 4 bears South 02 degrees 00 minutes 00 seconds East a distance of 2200.00 feet.

*Smith Valley
 9-107
 L4*

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

See Attached Exhibit A

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 Exhibit A

9. Proposed use will be from January 1 ^{thru} December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 ^{thru} 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.)

Drilled well, pump, totalizing meter and distribution system.

12. Estimated cost of works \$125,000

13. Estimated time required to construct works one year
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use five 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 total combined duty of water under Permit Nos. 68767, 68768, 68769, 68770, 68771, 68772, 68773, 68774, 68775, 68776, 68777, 68778, 68779, 68780, Application to Change 72979 and this Application to Change shall not exceed 3684.91 acre-feet annually for irrigation of 880.17 acres within the described place of use.

16. Miscellaneous remarks:

mike@mbuschelman.com
E-mail Address
(775) 355-9628
Phone No. Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Michael D. Buschelman
Michael D. Buschelman
Signature, applicant or agent
Michael D. Buschelman Consulting, Inc.
Company Name
P.O. Box 51371
Street Address or PO Box
Sparks, NV 89435
City, State, ZIP Code

EXHIBIT "A"

Temporary Application to Change Permit No. 68772

Applicant: Rightway Investments Smith Valley, LLC

ITEM NO. 7 - PROPOSED PLACE OF USE

The proposed place of use is within portions of the following:

- T13N, R24E SECTION 19 - SW1/4, NW1/4SE1/4, S1/2SE1/4;
SECTION 30 - N1/2, N1/2S1/2;
- T13N, R23E SECTION 24 - SE1/4, SE1/4SW1/4;
SECTION 25 - NW1/4NW1/4, S1/2NW1/4, NE1/4, SW1/4,
W1/2SE1/4;
SECTION 26 - ALL;
SECTION 27 - S1/2NE1/4, SE1/4, SE1/4SW1/4;
SECTION 34 - E1/2NW1/4, NE1/4, NW1/4SE1/4, NE1/4SW1/4,
S1/2SW1/4;
SECTION 35 - N1/2N1/2, SW1/4NW1/4;
- T12N, R23E SECTION 3 - NW1/4, N1/2SW1/4;
SECTION 4 - PORTION OF NE1/4SE1/4.

ITEM NO. 8 - EXISTING PLACE OF USE - Refer to map under Permit No. 68772

The existing place of use is within portions of the following:

- T13N, R23E SECTION 26 - ALL;
SECTION 27 - S1/2NE1/4, SE1/4, SE1/4SW1/4;
SECTION 34 - E1/2NW1/4, NE1/4, NW1/4SE1/4, NE1/4SW1/4,
S1/2SW1/4;
SECTION 35 - N1/2N1/2, SW1/4NW1/4;
- T12N, R23E SECTION 3 - NW1/4, N1/2SW1/4;
SECTION 4 - PORTION OF NE1/4SE1/4.

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