Permit No. 84798

THE STATE OF NEVADA

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

Name of Permittee: ELLISON RANCHING COMPANY

Source: STREAM (PRATT CREEK)

Basin: NORTH FORK AREA

Manner of Use: IRRIGATION

Period of Use: APRIL 15TH THROUGH AUGUST 15TH

Priority Date: SEE BELOW

****

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 of the waters of Pratt Creek as heretofore granted under Permit 61297, is issued subject to the terms and conditions imposed in said Permit 61297, 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 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)

Priority Date	Total Acre-Feet	Diversion Rate (cfs)	Harvest Acres	Meadow Acres	Diversified Acres
1895	70.41	0.289	23.47	---	---
1896	70.41	0.289	23.47	---	---
1904	70.38	0.289	23.46	---	---

Totals:	**211.20**	**0.87**	**70.40**	**0.00**	**0.00**

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.867 cubic feet per second or 211.2 acre-feet per season, 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:	**November 16 2016**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**November 16 2018**
Map in support of proof of beneficial use shall be filed on or before:	**November 16 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 16th day of **November, 2015**

J. K. P.E.

State Engineer

Application No. 84798

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 FEB 0 2 2015

Returned to applicant for correction

Corrected application filed _____ Map filed FEB 0 2 2015 under 84798

The applicant Ellison Ranching Company

HC 32 Box 240 (Street Address or P.O. Box) of Tuscarora (City or Town)

Nevada 89834 (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 right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree)

Permit 61297

1. The source of water is Pratt Creek
   Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.867 cfs 211.2 acre feet annually
   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 so stated.)
   Lot 8, (NW1/4 NW1/4) of Section 5, T.41 N., R.54 E., M.D.B. & M., at a point from which the Northwest Corner of said Section 5, bears N 51° 55' 52" W, 313.93 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer)
   As decreed under Proof No. 00562, Geo. W. Pratt, Edwards Decree within the NE1/4 NE1/4 Section 6, T.41 N., R.54 E., M.D.B.& M.

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North Fork Area
4-44
E'

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
Portions of SE1/4 SE1/4 Section 35, SW1/4 Section 36, T.42 N., R.54 E., M.D.B.& M., Portions of NW1/4 Section 1, N1/2 NE1/4, S1/2 N1/2, N1/2 S1/2 Section 2, T.41 N., R.54 E., M.D.B.& M.

70.40 acres to be irrigated within the Proposed Place of Use

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.)
Same as Proposed

9. Proposed use will be from April 15th (Month and Day) to August 15th (Month and Day) of each year.

10. Existing use permitted from April 15th (Month and Day) to August 15th (Month and Day) of each year.

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.
Diversion structure, ditches, and sprinkler system.

12. Estimated cost of works $10,000.00

13. Estimated time required to construct works 3 years
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 5 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)
Diversion structure, ditches, natural channels and sprinkler system to supply water to irrigate 70.40 acres within the proposed place of use.

Please see attached sheet in further explanation of proposed project and reason for filing this Application.

16. Miscellaneous remarks:

Robert E. Morley
Type or print name clearly

Robert E. Morley
Signature, applicant or agent

remorley@frontiernet.net
E-mail Address

(775) 738-4053
Phone No. Ext.

High Desert Engineering, LLC
Company Name

640 Idaho Street
Street address or P.O. Box

Elko, Nevada 89801
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/13

$240 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

84798

Attachment to Application for Permission to Change the Point of Diversion
Ellison Ranching Company
Permit 61297 and Permit 61298

The point of diversion of Permit 61297 and Permit 61298 is located on National Forest lands. The U.S. National Forest had denied access and construction of improvements at the point of diversion until such time as an easement was issued which has now been completed.

Upon issuance of the easement, the applicant has now improved the existing diversion structure and installed ± 3.25 miles of pipeline from the diversion to the place of use to improve the efficiency of the existing irrigation system. The cost of these improvements is estimated at $250,000. These improvements were completed in the fall of 2012 and utilized for the 2013 and 2014 irrigation season. The applicant estimates that they are irrigating the total 70.40 acres allowed for under Permit 61297 and the total 55.26 acres allowed for under Permit 61298.

The point of diversion of Permit 61297 and Permit 61298 as stated on the permits is "As Decreed under Proof No. 00562, Geo. W. Pratt, Edwards Decree within the NE1/4 NE1/4 Section 6, T.41 N., R.54 E., M.D.B. & M.", and is shown as such on the culture map for Proof No. 00562.

During the course of performing surveys for the ranch, it has been determined that the actual point of diversion for these permits is located within the NW1/4 NW1/4 of Section 5, T.41 N., R.54 E., M.D.B. & M., possibly due to the dependent resurvey of Sections 5 and 6 performed by the BLM which set the brass cap corner for the Northeast corner of Section 6 also being the Northwest corner of Section 5.

In addition, after further investigation and review of the irrigation system utilized by the applicant, a portion of the waters under Permits 61297 and Permit 61298 are not diverted into the pipeline from the head gate located at the actual point of diversion in the NW1/4 NW1/4 of said Section 5. These waters are allowed to continue downstream in the natural channel of Pratt Creek where it is then diverted from a long standing existing point of diversion located in the NW1/4 SE1/4 of Section 4, T.41 N., R.54 E., M.D.B. & M. From this point of diversion the waters are transferred to the permitted place of use utilizing the historic irrigation ditches as shown on the culture map for Proof No. 00562 where the waters are placed to beneficial use.

Due to the fact that we have now determined that the waters under Permit 61297 and Permit 61298 are not being diverted from the points of diversion as described on the permits, and the fact that the applicant is desirous of accurately reflecting the actual points of diversion of these waters as required, we are filing this application to change the points of diversion to accurately reflect the points of diversion being utilized under these permits.

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