

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 AND DOMESTIC**
Period of Use: **JANUARY 1ST THROUGH DECEMBER 31ST**
Priority Date: **02/12/1976**

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 place of use of the waters of an underground source as heretofore granted under Permit 71055, is issued subject to the terms and conditions imposed in said Permit 71055 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 total combined duty of water under Permits 68767, 68768, 68770, 68771, 68773, 68774, 68776, 68777, 69415, 69416, 69417, 69418, 71052, 72979, 74804, 74805, 74806, 74807, 74808, 74809, 77139, 84485, 85206, 85207, 85208, 85209, 85210, and 85211 shall not exceed 7,801.67 acre-feet annually for the irrigation of 1,950.42 acres within the described place of use.

If any water under this permit is cancelled or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

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 0.9851 cubic feet per second or 552.8 acre-feet annually.**

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

April 26 2017

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

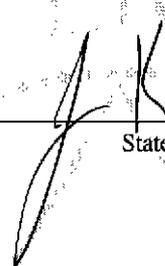
April 26 2021

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

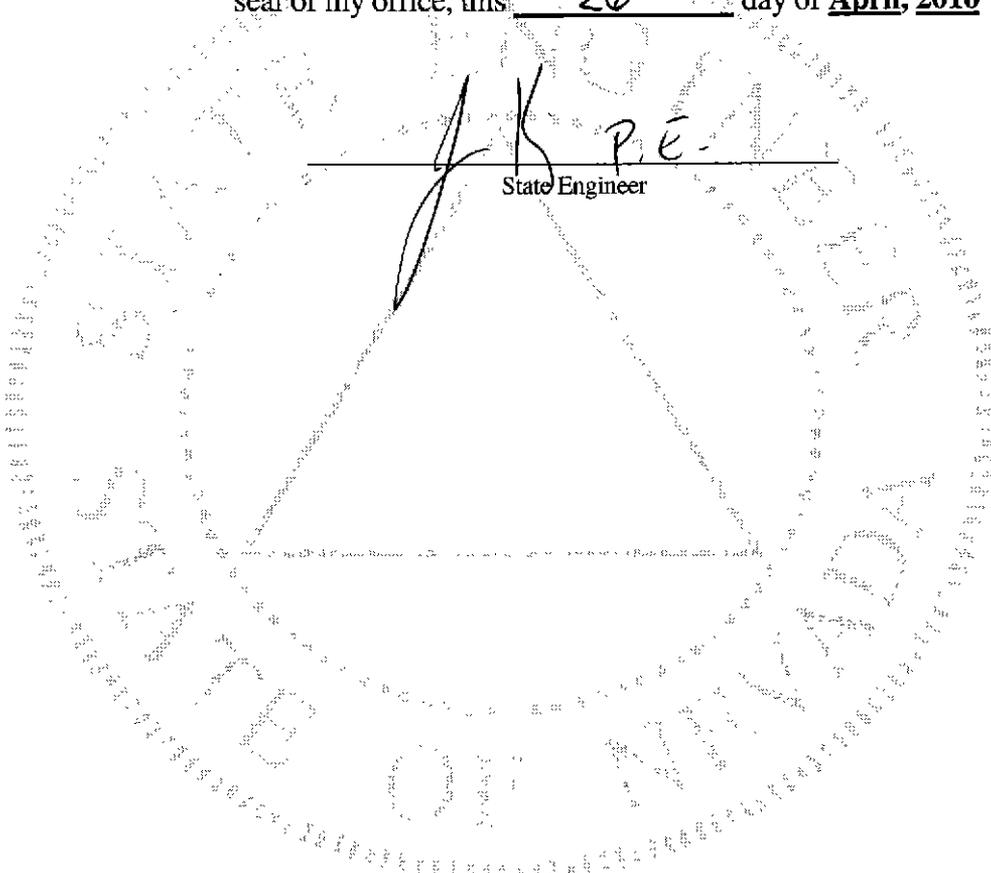
April 26 2021

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 26th day of April, 2016



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 MAY 29 2015

Returned to applicant for correction _____

Corrected application filed _____ Map filed OCT 30 2014 Under 84485

The applicant Rightway Investments Smith Valley, LLC
3675 Lakeside Drive, Suite B of Reno
Street Address or PO Box City or Town
Nevada 89509 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 No. 71055

- The source of water is an underground source
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 0.9851 cubic-feet per second, and 552.8 acre-feet annually
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Irrigation and Domestic 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 SE1/4 NW1/4 of Section 25, T.13N., R.23E., M.D.B.&M from which the NE corner of said Section 25 bears N 53°43'33" E., a distance of 4,443.96 feet. (Witched Well) Refer to map filed in support of Application No. 84485.
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
Point of diversion does not change.

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MAY 29 2015

STATE ENGINEER'S OFFICE

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

See Exhibit "A"

Refer to map filed in support of Application No. 84485.

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.)

SE1/4 SW1/4, SE1/4 of Section 24; the NW1/4, SW1/4, W1/2 SE1/4, NE1/4 of Section 25, T.13N., R.23E., MDB&M.

Refer to map filed in support of Permit No. 71051.

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.)

Existing drilled well equipped with a pump, motor, totalizing meter, and pipelines to irrigation distribution system.

12. Estimated cost of works None - Existing

13. Estimated time required to construct works None - Existing

If well completed, describe well.

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

Water under this application will be utilized for the irrigation of fields already in production. This Application proposes to adjust the place of use to allow for additional infrastructure and irrigation system expansion to maximize system efficiency.

16. Miscellaneous remarks:

The total combined duty of water under this application and Permit Nos. 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, and 77139 shall not exceed 7801.67 AFA for the irrigation of 1909.36 acres.

cfacque@farrwestengineering.com

E-mail Address

(776) 853-7268

Phone No.

Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Chris N. Facque

Type or print name clearly



Signature, applicant or agent

Farr West Engineering

Company Name

5442 Longley Lane, Suite A

Street Address or PO Box

Reno, Nevada 89511

City, State, ZIP Code

Exhibit "A"**Applicant – Rightway Investments Smith Valley, LLC****Item No. 7: Proposed place of use**

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

T. 13N., R. 24E. MDM

Section 19 – SW1/4, NW1/4 SE1/4, S1/2 SE1/4;

Section 30 – N1/2, N1/2 S1/2;

T. 13N., R. 23E., MDM

Section 24 – SE1/4, SE1/4 SW1/4;

Section 25 – NW1/4 NW1/4, S1/2 NW1/4, NE1/4, SW1/4, W1/2 SE1/4;

Section 26 All;

Section 27 – S1/2 NE1/4, SE1/4, SE1/4 SW1/4;

Section 34 – E1/2 NW1/4, NE1/4, NW1/4 SE1/4, NE1/4 SW1/4, S1/2 SW1/4;

Section 35 – N1/2 N1/2, SW1/4 NW1/4;

T. 12N., R23E., MDM

Section 3 – NW1/4, N1/2 SW1/4;

Section 4 – Portion of the NE1/4 SE1/4

Refer to map filed in support of Application No. 84485

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