

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

Date of filing in State Engineer's Office JAN 11 1988 for William James Ent. Portion Only NEW PRIORITY DATE: NOV 19 1991

Returned to applicant for correction JAN 17 1988

Corrected application filed MAR 21 1988 Map filed MAR 21 1988 Under 51751

The applicant KDT Incorporated, a Nevada Corporation 1195 West Shaw of Fresno California 93711

Street and No. or P.O. Box No. City or Town State and Zip Code No. hereby make S application for permission to change the Point of Diversion

Point of diversion, manner of use, and/or place of use of water heretofore appropriated under Permit 35747 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is underground Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 5.2 CFS Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-Municipal Purposes Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for (No Change) Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point within the NE 1/4 SE 1/4 of Section 2, T.12N., R.20E., M.D.B.&M., or at a point from which the E 1/4 corner of said Section 2 bears N45° 00' E, 425 feet. Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within the NE 1/4 SW 1/4 of Section 1, T.12N., R.20E., M.D.B.&M., or at a point from which the S1/4 corner of said Section 1 bears S13° 47'E, 2197 feet. If point of diversion is not changed, do not answer.

7. Proposed place of use (No Change) Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use N1/2, SW1/4, N1/2SE1/4, Section 1; NE1/4, portions of E1/2NW1/4, portions of E1/2SW1/4, N1/2SE1/4, N1/2SW1/4SE1/4, SE1/4SE1/4, Section 2; T.12N., R.20E., M.D.B.&M., E1/2SE1/4, SE1/4 NE1/4, Section 36; T.13N., R.20E., M.D.B.&M., as shown on the supporting map

9. Use will be from January 1 to December 31 of each year. Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year. Month and Day Month and Day

11. 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.) well, pump, motor, storage tanks and distribution system. State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works \$60,000.00

13. Estimated time required to construct works 5 years

14. Estimated time required to complete the application of water to beneficial use... 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water under this application together with two others is to be used for quasi-municipal purposed within the 1068 acres place of use. Proposed development will conform with 2 acre zoning now on the property. Water is requested for a total of 475 homes. Peak demand including fire flow is estimated to be 2330 gpm.

By... s/ BJ Vasey - Agent
P.O. Box 247
Minden, NV 89423

Compared... SP/ jm pm/se

Protested.....

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 an underground source as heretofore granted under Permit 35747 is issued subject to the terms and conditions imposed in said Permit 35747 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and 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.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

No perforations shall be put in the production casing from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 51751, 51752 and 51753 shall not exceed 173.88 million gallons annually.
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.2 cubic feet per second, but not to exceed 173.38 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 22, 1989

Proof of completion of work shall be filed before May 22, 1989

Application of water to beneficial use shall be made on or before April 22, 1990

Proof of the application of water to beneficial use shall be filed on or before May 22, 1990

Map in support of proof of beneficial use shall be filed on or before May 22, 1990

Completion of work filed DEC 19 1989 IN TESTIMONY WHEREOF, I PETER G. MORROS State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed my office, this 12th day of August

Cultural map filed

Certificate No. Issued

AD 19 88 [Signature] State Engineer

2407 (Rev. 6-81)

port 53175 0.95 cfs, PORT 57674 0.193, 58838 0.139 - wdn 10/15/98

CANCELLED OCT 14 1991 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

[Signature] STATE ENGINEER

CANCELLED APR 20 1998 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

[Signature] STATE ENGINEER

(PERMIT TERMS CONTINUED)

No more than 475 units are to be served under Permit 51751, 51752 and 51753. At least one groundwater monitor well is to be installed within the place of use at a location satisfactory to the State Engineer before any diversion of groundwater from the production wells. The monitor well must be suitably cased, perforated, sealed, and capped, and must penetrate at least 75 feet below the water table.