



THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: FLYING A LIMITED PARTNERSHIP
Source: UNDERGROUND
Basin: SMITH VALLEY
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 04/15/1965

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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 25347, Certificate 7556 is issued subject to the terms and conditions imposed in said Permit 25347, Certificate 7556 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.

The total combined duty of water under Permit 25441, Certificate 8676, and Permits 75237, 75238 and 75239, being from the same well, shall not exceed 758.5 acre feet annually.

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

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

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The total land irrigated under Permits 75237, 75238 and 75239 and any water of the Walker River Decree and any storage water appurtenant to the place of use shall not exceed 9.625 acres within the described place of use. These permits for underground water are issued as a supplemental water supply to lands that have surface water rights from storage water provided from the Walker River Irrigation District. The total diversion of water for irrigation from any and all sources shall not exceed the duty of water for this place of use as set forth in the Decree. Underground water shall not be pumped from the wells described in these permits except to the extent necessary to make up the portion of the entitled duty from Decree and storage water in any given year

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.142 cubic feet per second or 21.6 acre-feet annually.

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

December 17, 2009

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

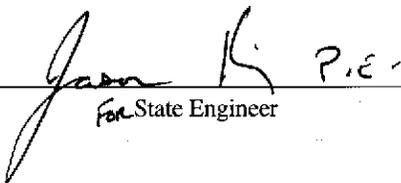
December 17, 2011

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

December 17, 2011

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 17th day of December, A.D. 2008



For State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

NO. 75238

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 05 2007

Returned to applicant for correction JAN 29 2007

Corrected application filed _____

Map filed DEC 19 1974 under 25441

The applicant **Flying A Limited Partnership**, hereby makes application for permission to change the **Point of diversion Place of use of a portion** of water heretofore appropriated under **Permit 25347 Certificate 7556**

1. The source of water is **underground**
2. The amount of water to be changed **0.142 CFS N.T.E. 21.6 AFA**
3. The water to be used for **Irrigation & Domestic**
4. The water heretofore permitted for **Irrigation & Domestic**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 2 T. 11N., R. 23E., M.D.B. & M. or at a point from which the SW corner of said Section 2 bears S. 1° 37' W. A distance of 1276.0 Feet.**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12, T. 11N., R. 23E., M.D.B. & M., or at a point from which the W $\frac{1}{4}$ corner of Section 13, T. 11N., R. 23E., M.D.B. & M bears S. 10°57' 41" W. A distance of 6642.0 Feet.**
7. Proposed place of use **Portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 2, T. 11N., R. 23 E. M.D.B. & M.**
8. Existing place of use **NW $\frac{1}{4}$ NW $\frac{1}{4}$ (32 AC), NE $\frac{1}{4}$ NW $\frac{1}{4}$ (32 AC), SW $\frac{1}{4}$ NW $\frac{1}{4}$ (6 AC), SE $\frac{1}{4}$ NW $\frac{1}{4}$ (6 AC) all within Section 12, T. 11N., R. 23E M.D.B. & M. 76 Acres total. 5.40 Acres to be stripped in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 12 T 11N., R. 23E., M.D.B. & M.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works. **Existing drilled and cased well, pump, motor, and Distribution System.**
12. Estimated cost of works **Unknown**
13. Estimated time required to construct works **Existing drilled and cased 14 inch well to a depth of 546 Feet. Drilled under Permit 25411**
14. Estimated time required to complete the application of water to beneficial use **5 Years**
15. Remarks: **For Existing Point of Diversion & Place of Use please refer to map filed in support of Application 25347. For proposed Point of Diversion please refer to map filed in support of Application 25441. Please withdraw those portions of Permit 25543 and 46607 which are supplemental to Permit 25347 to benefit this Application.**

Western Engineering & Surveying Services
By **Robert H. Cantley**
s/ **Robert H Cantley**
3032 Silver Sage Drive
Carson City, Nevada 89701

Compared **NS/dl** _____

Protested _____