

**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: NORDYKE PROPERTIES, LLC
Source: UNDERGROUND
Basin: MASON VALLEY
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 01/19/1977

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 58753 is issued subject to the terms and conditions imposed in said Permit 58753 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 76603, 76811 and 76812 shall not exceed 400 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If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

The total land irrigated under Permits 76603, 76811 and 76812 and any water of the Walker River Decree and any storage water appurtenant to the place of use shall not exceed 100 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 the Walker River as set forth in the Walker River Decree C-125, or 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.

(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 1.688 cubic feet per second or 400.0 acre-feet annually.**

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

September 18, 2010

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

September 18, 2013

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

September 18, 2013

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 18th day of September, A.D. 2008

Tracy Taylor P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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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 MAR 14 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAR 14 2008 under 76603

The applicant Nordyke Properties, LLC (Attn.) Mike Faretto

291 Osborne Lane of Yerington
Street Address or P.O. Box City or Town

Nevada 89447, 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 right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

A portion of permit number 58756

1. The source of water is an underground source
Name of stream, lake, underground, spring or other sources
2. The amount of water to be changed 400 acre feet per annum - a pro-rata share of the diversion rate
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation and domestic (Supplemental)
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 and domestic (Supplemental)
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 stated.)
Within the NE1/4 SE1/4 Section 21 T12N, R25E, MDM or at a point from which the SE corner of said Section 21 bears South 31 degrees 23 minutes 40 seconds East, a distance of 1,657.14 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
NW 1/4 SW1/4 Section 10, T14N, R25E, MDM or at a point from which the NW corner of said Section 10 Bears N 1 degree 58 minutes 30 seconds W a distance of 2,676.46 feet.

108-LY

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

A portion of the following SE1/4 of Section 21; W1/2 SW1/4 of Section 22; W1/2 NW 1/4 of Section 27; and the NE1/4 of Section 28, all within T12N, R25E, MDM Lyon County Assessors Parcel Numbers 12-332-07 and 12-332-05

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.)

T15N, R25E,MDM: S1/2SW1/4 Section 27; Portions of NE1/4SW1/4, Portions of SE1/4SW1/4, S1/2NE1/4, SE1/4 Section 33; S1/2NW1/4, S1/2SW1/4 Section 34 --T14N, R25E, MDM: Portions of NW1/4NW1/4 Section 3; NE1/4, Portions of E1/2NW1/4, N1/2SE1/4, SW1/4SE1/4, Portions of NE1/4SW1/4, Portions of SE1/4SW1/4 Section 4; Portions of NE1/4NW1/4, NW1/4NE1/4, SW1/4NE1/4, SE1/4NE1/4, Portions of NE1/4NE1/4 Section 9; W1/2NW1/4, Section 10

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.)

Drilled and cased well equipped with motor, pump, meter and pipeline to place of use.

12. Estimated cost of works \$80,000.00

13. Estimated time required to construct works 2 years
If well completed, describe well.

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

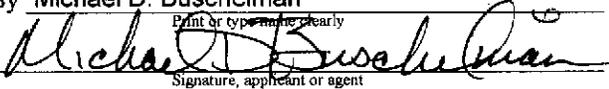
Water from this well will be used to supplement Walker River Decreed and Storage Rights.

16. Miscellaneous remarks:

See map under 76603 for proposed point of diversion and place of use. See map under 58745 for existing point of diversion and place of use.

(775) 355-9628
Phone No.

Mike@MBuschelman.com
E-mail

By Michael D. Buschelman
Print or type name clearly

Signature, applicant or agent

Michael D. Buschelman Consulting, Inc.
Company Name

P.O. Box 51371
Street Address or P.O. Box

Sparks, Nevada 89435
City, State, Zip Code

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

2008 APR 14 11:19 AM
COUNTY CLERK
CLERK'S OFFICE
SPARKS, NEVADA