

- A. there is no unappropriated water at the proposed source;
- B. the proposed use or change conflicts with existing rights;
- C. the proposed use or change conflicts with protectible interests in existing domestic wells as set forth in NRS § 533.024; or
- D. the proposed use or change threatens to prove detrimental to the public interest.

III.

When Permits 64977, 64978 and 66400 were issued, the State Engineer made a determination, based on the information available at that time, that 2,996 afa of water was available for appropriation in the Dry Valley Hydrographic Basin. Application 72700 seeks to change the point of diversion and place of use of a portion of Permit 64977 and does not request any additional water from the Dry Valley Hydrographic Basin. The State Engineer concludes he is not required to reevaluate the determination as to water availability under the change application and that the proposed change in point of diversion and place of use will not threaten to prove detrimental to the public interest.

IV.

The State Engineer concludes that the protest issues regarding water availability were settled by the issuance of Permit 64977; therefore, those protest issues are dismissed.

RULING

The protest claims are overruled and Application 72700 is hereby approved subject to:

- 1. Existing rights;
- 2. The payment of the statutory permit fees;
- 3. A monitoring program approved by the State Engineer prior to the diversion of any water appropriated under this permit.

Respectfully submitted,



TRACY TAYLOR, P.E.
State Engineer

TT/KE/jm

Dated this 21st day of
October, 2008.

JA1774

SE ROA 1691

JIM GIBBONS
Governor

STATE OF NEVADA



ALLEN BIAGGI
Director

TRACY TAYLOR, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002
Carson City, Nevada 89701-5250
(775) 684-2800 • Fax (775) 684-2811
(800) 992-0900
(In Nevada Only)
<http://water.nv.gov>

Re: Application 72700

October 21, 2008

Intermountain Water Supply, Ltd.
175 Stags Leap Circle
Sparks, Nevada 89436-7280
Certified Mail #7106 7808 0630 0036 8278

Ladies and Gentlemen:

Enclosed is our official Ruling granting Application 72700 filed to appropriate the underground water from the Dry Valley Hydrographic Basin (95), Washoe County, Nevada, subject to payment of the statutory permit fee.

Please be advised that within the next few weeks you will receive notice from this office requesting payment of the fee for the issuance of your permit.

Sincerely,

A handwritten signature in black ink, appearing to read "T. Taylor, P.E.", written over a horizontal line.

Tracy Taylor, P.E.
State Engineer

TT/jm

Enclosures

cc: Vahid Behmaram, Washoe County
Southern Nevada Branch Office
Elko Branch Office

JA1775
SE ROA 1692

4171
STATE OF NEVADA
DIVISION OF WATER RESOURCES
901 S. Stewart Street, Suite 2002
Carson City, Nevada 89701

Return Service Requested

REC-11
2008 NOV 13 AM 11:00
STATE ENGINEER OFFICE

CERTIFIED MAIL



7106 7808 0630 0036 8278

Intermountain Water Supply, Ltd.
175 Stags Leap Circle
Sparks, Nevada 89436-7280

Re: 72700

Ruling #5897

Re-sent

11/14/08

Regular Mail

Return Receipt Requested

894418 8970152502



water

000000000000
\$05.400
10/21/08
Facial Price 38781
US POSTAGE

NIXIE

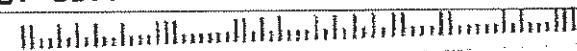
895 5E 1

74 11/11/08

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 89701525002

*0894-05184-21-42



SE ROA 1693

JA1776

State of Nevada - Division of Water Resources

901 S. Stewart Street
2nd Floor
Carson City, NV 89701

ROBERT MARSHALL
175 STAGS LEAP CIR
SPARKS NV 89436-7282

● Receipt

| Payment Method | Check No. | Receipt # |
|----------------|-----------|-----------|
| Check | 8718 | 230856 |

| Date | Item | Description | Amount |
|--------------------------------|--------|-------------------------------|-------------------------|
| 12/8/2008 | Change | PERMIT FEE - CHANGE NO. 72700 | 2,092.00 |
| Received by: Sue Cox <i>Sc</i> | | | Total \$2,092.00 |

JA1777
SE ROA 1694

JIM GIBBONS
Governor

STATE OF NEVADA



ALLEN BIAGGI
Director

TRACY TAYLOR, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 S. Stewart Street, Suite 2002
Carson City, Nevada 89701
(775) 684-2800 • Fax (775) 684-2811
<http://water.nv.gov>

December 8, 2008

InterMountain Water Supply, Ltd.
175 Stags Leap Circle
Sparks, NV 89436-7280

Re: 72700

Dear Ladies and Gentleman:

You are hereby advised that your application(s) to change the public waters of the State of Nevada, under **Application Number(s) 72700** for the waters of an underground source is/are now ready to be presented to the State Engineer for approval.

In accordance with NRS §533.435, please forward to this office **within sixty (60) days** from the date hereof, permit fees of **\$2,092.00**, for your application(s).

Please be advised that the applicant or his properly authorized agent is responsible for notifying the State Engineer's Office of any address change, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record unless proper written notification from the applicant or agent directs otherwise.

In the event that this office does not receive the permit fees **within sixty (60) days** from this date, your application will be subject to denial.

If there are any questions regarding this notice please contact our office at (775) 684-2800.

sc
cc: Michael D. Buschelman

Application 72700

Permit Terms Sheet

| | | | |
|-------------------------|----------------------------------|--------------------|---------------------|
| Application No. | 72700 | Basin Status | |
| Owner: | INTERMOUNTAIN WATER SUPPLY, LTD. | | |
| Ready for Action Date | 06/01/2008 | Basin | 07 - 09S DRY VALLEY |
| Source | UG | Source Description | |
| Amount | 1.38 CFS | Use Units | |
| Duty: | 996.00 | Duty Unit: | AFA |
| Manner of Use | MUN | Period of Use | 0101 to 1231 |
| Fees | \$ 2092.00 | | |
| Permit Plat Filed Under | 50564 | Supplemental To | several |

Office Notes:

Moves the point of diversion approximately 3/4 mile NE and changes the place of use from the Lemmon Valley Basin to the Warm Springs Valley Basin, near winnemucca ranch; test well drilled at base right location but no use of water to date, seven years after permit approval(tkg), total water in dry valley now permitted is the 2996 acre feet from the three original permits 64977, 64978 and 66400 and the five changes, one of which is this one that sends water to warmsprings;

Permit Terms:

C. (d):

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 64977 is issued subject to the terms and conditions imposed in said Permit 64977 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. The State retains the right to regulate the use of the water herein granted at any and all times.

AN-RPT TRM: Monthly Report submitted quarterly

S. (2): Ingress and Egress

S. (3): Must seal Well ground level to 100 feet

S. (6):

The total combined duty of water under Permits 64977, 64978, 66400, 73428, 73429, 73430,

Application 72700

74327 and 72700 shall not exceed 2,996.0 acre-feet annually.

S. (11): Other Permits from Federal, State and Local Agencies

CUST1:

This permit is issued subject to the State Engineer's Ruling No. 5897.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.38 cubic feet per second or 996.0 acre-feet annually.

By ke Date 10/29/2008

RFA Committee
Approval

POC Due Date 2 years

By kwh Date 12/17/2008

PBU Due Date 5 years

By tkg Date 12/17/2008 PBU Map Due Date: N/A

TKEP

JIM GIBBONS
Governor

STATE OF NEVADA



ALLEN BIAGGI
Director

TRACY TAYLOR, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

(800) 992-0900

(In Nevada Only)

<http://water.nv.gov>

December 17, 2008

InterMountain Water Supply, Ltd.
175 Stags Leap Circle
Sparks, Nevada 89436-7280

RE: 72700

Ladies and Gentlemen:

Enclosed herewith you will find Permit No. 72700 for the waters of an underground source.

Please be advised that if Proof of Completion and Proof of Beneficial Use, together with a supporting map that may be required, are not filed in this office prior to the dates set for such filings, the permit will be subject to cancellation.

Additional information regarding this and other water rights may be found on our web page at <http://water.nv.gov>.

You are responsible for notifying this office of any address change. If multiple addresses are used, the required legal notices will be sent to the latest address of record unless written notification from the applicant or agent directs otherwise.

Please be advised that if this water right is sold, the new owner must file a report of conveyance with this office reflecting the change in ownership to insure proper noticing and avoid cancellation of the permit.

Sincerely,

A handwritten signature in black ink that reads "Tracy Taylor, P.E.".

Tracy Taylor, P.E.
State Engineer

TT/llb

Enclosure

cc: Michael D. Buschelman

JA1780
SE ROA 1697



Permit No. 72700

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: INTERMOUNTAIN WATER SUPPLY, LTD.
Source: UNDERGROUND
Basin: DRY VALLEY
Manner of Use: MUNICIPAL
Period of Use: January 1st to December 31st
Priority Date: 03/24/1999

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 64977 is issued subject to the terms and conditions imposed in said Permit 64977 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. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

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 64977, 64978, 66400, 73428, 73429, 73430, 74327 and 72700 shall not exceed 2,996.0 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.

This permit is issued subject to the State Engineer's Ruling No. 5897.

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

(Continued on Page 2)

JA1781
SE ROA 1698

Permit No. 72700

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.38 cubic feet per second or 996.0 acre-feet annually.

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

December 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:

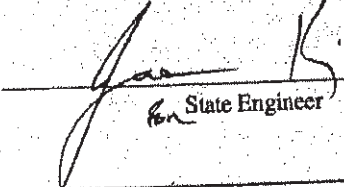
December 18, 2013

N/A

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

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 December, A.D. 2008



for State Engineer P.E.

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

JA1782
SE ROA 1699

JIM GIBBONS
Governor

STATE OF NEVADA



ALLEN BIAGGI
Director

TRACY TAYLOR, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 S. Stewart Street, Suite 2002
Carson City, Nevada 89701
(775) 684-2800 • Fax (775) 684-2811
<http://water.nv.gov>

FACSIMILE TRANSMISSION

TO Bob Marshall DATE: 12/18/08

FACSIMILE NO.: 425-1327

FROM: Water Rights
Diana Lefler

COMMENTS: Permit 72700

NUMBER OF PAGES: 3 (INCLUDING COVER PAGE)

PERSON SENDING FACSIMILE: Linda

IF NOT PROPERLY RECEIVED, PLEASE CALL (775) 684-2800.

January 27, 2009

Mr. Robert Marshall
Intermountain Water Supply
175 Stags Leap Circle
Sparks, Nevada 89441

Dear Bob:

As a courtesy, I wanted to notify you now that the option has expired and there is no participation well, your application to change the place of use to the Winnemucca Ranch property and well should be refiled. Please make sure you file a change application to change the place of use of your water rights so it no longer exists on the Winnemucca Ranch property. Please do so within the next 30 days so we can avoid contacting the State Engineer regarding the change of place of use.

Very truly yours,
Buckhorn Land and Livestock, LLC


Randy Venturacci

JA1784
SE ROA 1701

State of Nevada Division of Water Resources
Request for Notice and Change of Address

In regards to permit numberSee Attached List..... : (Check applicable item.)

- [X] Please add my name to the mailing list and send copies of all correspondence to the address below:
(Fill in NEW ADDRESS information only.)
- [] Please change the address for copies to be sent as indicated below:
(Fill in NEW ADDRESS and OLD ADDRESS information.)
- [] I am the permit holder. Please change my address as indicated below:
(Fill in NEW ADDRESS and OLD ADDRESS information.)

NEW ADDRESS

NAME: Gregory M. Bilyeu

FIRM: TEC Civil Engineering Consultants

ADDRESS: 9480 Double Diamond Parkway, Suite 200

CITY, STATE, ZIP: Reno, NV 89521

TELEPHONE: (775) 352-7800

OLD ADDRESS

NAME: _____

FIRM: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

TELEPHONE: _____

I am the:

- [X] Individual named above. (Complete signature below only.)
- [] Agent or representative. (Complete the signature, name, and address below.)

This form accurately reflects the mailing address for the permit holder or other individual identified above.

SIGNATURE: _____

NAME: Gregory M. Bilyeu

ADDRESS: 9480 Double Diamond Parkway, Suite 200

CITY, STATE, ZIP: Reno, NV 89521

2009 FEB -4 PM 4:02
STATE BUSINESS OFFICE
RECEIVED
JA1785
SE ROA 1702

Request for Notice of Water Rights Correspondence

Permit/Application

64977

64978

66400

66961

72700

73428

73429

73430

74327

RECEIVED
2009 FEB -4 PM 4:02
STATE ENGINEERING OFFICE

JA1786
SE ROA 1703

Intermountain Water Supply, Ltd.

625 Onyo Way
Sparks, NV 89441

February 5, 2009

Jason King
Acting Nevada State Engineer
901 S. Stewart St., Room 2002
Carson City, NV 89701

Re: Permit 72700

Dear Jason:

I am enclosing a copy of Option to Purchase Water rights dated December 8, 2004.

Paragraph 16 of this document identifies the p.o.d. under the above permit as the "Exhibit D" well site. Our access to this site is generally described in paragraph 9(c).

This document confirms our right to the p.o.d. under Permit 72700 as well as our right of access thereto.

Please place this letter and the attached Option to Purchase Water Rights in the folder for Permit No. 72700 so that the file will reflect our rights of access to the p.o.d.

Many thanks,

Bob Marshall
Bob Marshall

cc: Tom Marshall
Bob Lissner
John Gallagher

RECEIVED
2009 FEB -6 AM 11:37
STATE ENGINEERING DIV.

Received by [illegible]
2004 FEB - 6 11:38
[illegible]

OPTION TO PURCHASE WATER RIGHTS

This Agreement ("Option") is made and entered into as of December 8, 2004, by and between INTERMOUNTAIN WATER SUPPLY, LTD., a Nevada limited liability company (Seller) and Randall L. Venturacci (Purchaser) or his Nominee.

WITNESSETH:

In consideration of the mutual covenants and agreements hereinafter set forth, Seller hereby grants to purchaser the right to purchase a minimum of two hundred (200) acre feet and up to three hundred (300) acre feet of groundwater water rights appropriated from the Dry Valley hydrographic basin pursuant to Permit 64977 or successor permits upon the following terms:

1. The "Effective Date" of this Option shall be the last date of execution by the Parties.
2. Option Price. The Option to purchase shall be paid as follows:
 - a) Upon signing the Option, Purchaser shall pay to Seller the sum of One Hundred Thousand Dollars (\$100,000.00);
 - b) Upon the first anniversary of the Effective Date of this Option, Purchaser will pay to Seller the sum of Seventy-five Thousand Dollars (\$75,000.00);
 - c) Upon the second anniversary of the Effective Date of this Option, Purchaser will pay to Seller the sum of Seventy-five Thousand Dollars (\$75,000.00);
 - d) Upon the third anniversary of the Effective Date of this Option, Purchaser will pay Seller the sum of Seventy-five Thousand Dollars (\$75,000.00).
3. Exercise of Option. Purchaser may exercise his option to purchase any quantity

of water rights, up to the maximum of three hundred (300) acre feet allowed by this Option. The Purchaser may exercise his Options in any quantities and at any times within the Option Term. Anytime after the first option payment is made, the Purchaser, in cooperation with the Seller, shall prepare and file with the State Engineer's office an Application or Applications to Change the Place of Use and, if necessary, the Point of Diversion and/or Manner of Use of the water rights from their present Points of Diversion and Place(s) and Manner of Use as determined by Purchaser. Seller agrees to sign all required documents to effect any change applications. Seller will continue to file all extensions as may be required to keep Permit 64997 in good standing.

4. Purchase Price. Upon exercise of the Option within the first twenty-four (24) months from the Effective Date, Purchaser agrees to pay Seller for the water rights purchased at the rate of Six Thousand Two Hundred Fifty dollars (\$6,250.00) per acre foot. Any exercise of the Option after the first twenty-four (24) months after the Effective Date, Purchaser agrees to pay Seller for the water rights purchased at the rate of Seven Thousand Dollars (\$7,000.00) per acre foot. All Option payments made prior to the exercise of the Option shall be credited to the purchase price of the water rights.
5. Option Term. So long as the Option payments called for in Paragraph 2 hereof have been paid, the Option granted herein shall be effective for a period of forty-eight (48) months after the Effective Date of the Option.
6. Closing. If the Purchaser timely exercises the Option(s) granted, closing for the water rights optioned shall occur within sixty (60) days of the State Engineer's granting of the Change Application(s) filed by Purchaser. Should the State Engineer grant only a portion of the requested Change Application(s), Purchaser in his sole discretion shall have the option to either proceed with the closing on the portion of the water rights changed or rescind the exercise of the Option. If Purchaser proceeds with the purchase, he will receive as a refund any excess of the Option money paid to Seller which exceeds the purchase price of the water rights approved by the State Engineer.
7. Title. Conveyance of title to the water rights purchased shall be by Grant, Bargain and Sale Deed, without warranty as to the quantity of water which can be developed, executed by Seller to Purchaser in the form attached hereto as Exhibit "A". Title to all water rights shall be good and marketable at the time of closing. Should Seller be unable to provide marketable title to the water rights free from all liens and encumbrances, or should Purchaser be unable to secure State Engineer approval of any Change Application(s), Purchaser reserves the right to rescind the Exercise of the Option and shall be entitled to the return of all Option payments within 90 days of the State Engineer's final decision.

8. The Purchaser shall grant Seller a 20' Pipeline Easement and access easement for repairs, to convey water thru a pipeline across the Dry Valley Portions of Winnemucca Ranch in connection with the following permits: Dry Valley Permit 64977, Dry Valley Permit 64978, Dry Valley Permit 66400, Dry Valley Application 66961 and Newcomb Lake Permit 67037. The easements as indicated on Exhibits B, C and D. Purchaser shall also grant a 30' construction easement along the 20' pipeline easement, until the pipeline is constructed or 10 years which ever occurs first. Purchaser has the right to make reasonable changes to the easements prior to the installation of the pipeline. The easements as indicated on Exhibits B and C, shall be specified by legal description in a recorded document within four months (120 days) from the signing of this agreement. If the above referenced easements are not specified within four months (120) days from the signing of this agreement, all rights to an easement given by this agreement will cease.
9. Participation in Well Operations. Purchaser will agree to a shared well or wells constructed by the purchaser utilizing the water rights acquired under this option agreement based upon the following terms and conditions:
- (a) Purchaser will develop and construct the well or wells without consent or direction of the Seller. Seller will not protest the development or construction of the wells to be utilized both in Dry Valley and Warm Springs Hydrographic basins for residential or commercial development.
 - (b) Washoe County, Purchasers and Sellers engineers must agree that excess pumping capacity exists in well or wells developed by Purchaser.
 - (c) Seller will be limited to excess pumping capacity agreed to by Washoe County, Sellers and Purchaser's engineers.
 - (d) Should the well or wells be shared for excess pumping capacity it is understood and agreed that Purchaser shall always have first priority to the amount of water purchased from the Seller.
 - (e) Should excess pumping capacity exist, Seller or Seller's nominee shall pay the pro-rata cost of the well or wells, change of place of use and point of diversion costs, casings, pumps, motors, electrical power extensions, tanks and all other Municipal Water System costs as required by Washoe County to construct and place in use a municipal water system, based upon the amount of water to be drawn by each party. In-addition, Seller shall have an easement to convey water from well or wells in upper dry valley as identified by Exhibit D to Winnemucca Ranch road and down Winnemucca Ranch road past Purchasers property. Purchaser retains the right to designate route and re-align easement.
 - (f) Thereafter, the parties shall pay their pro-rata costs of operation including

repairs and maintenance and variable costs.

- (g) The costs to be shared hereunder do not include any distribution costs to Purchaser's development nor costs of delivering water to Seller. Both Purchaser and Seller will be responsible for their own subdivision distribution system.
- (h) Nothing herein shall prevent Purchaser from transferring all or any portion of the Purchaser's water rights or water work improvements to Washoe County. The County is informed of this agreement and Purchaser and/or Purchaser's nominee and Seller and/or Seller's nominee shall work cooperatively with the County in connection with such transfer. A transfer to Washoe County by Purchaser shall not diminish Seller's rights or obligations hereunder in the event Seller or Seller's nominee takes water from the same aquifer.
- (i) The proposed location of the initial well to be constructed is shown on Exhibit D, pursuant to this paragraph.

- 10. Assignment. Purchaser and Seller shall be permitted to assign their rights under this Option.
- 11. Seller will furnish all hydrologic data on Dry Valley Water Rights to assist buyer in determining location of well site and other required data to develop a municipal water system from the water rights under this option agreement. Seller will also cooperate with Purchaser in all required applications and permits required to develop the Dry Valley Municipal water rights being optioned under this agreement to a combination Municipal water system that would service both Dry Valley and Warm Springs Valley.
- 12. Seller will allow buyer to satisfy the amount of water actually purchased thru this option agreement thru seller's other Dry Valley Water rights as referenced in paragraph 8 above should Permit 64997 not yield sufficient water to equal the actual amount purchased under this agreement.
- 13. Seller has assured buyer that the change of use from Lemmon Valley to Warm Springs Valley of Seller's Municipal Permit #64997 will not be subject to a reduction in moveable water due to the inter basin transfer.
- 14. Purchaser will give Bob Marshall written document to allow Seller to access thru Black Canyon or alternate access as given by Seller to accomplish range improvements on Seller's BLM Allotment.
- 15. Seller and or Bob Marshall will give an access and utility easement to Purchaser to meet Washoe County Minimum Road Standards thru Bob Marshalls deeded property that borders Winnemucca Ranch Road. The width

of the easement to be 70 feet. Roadway work shall minimize impacts to Bob Marshalls Ranch improvements and trees. Any damaged improvements will be replaced by Purchaser.

16. Purchaser will allow Seller to drill not more than three wells in Lower Dry Valley as identified on Exhibit C and one well in Upper Dry Valley as identified on Exhibit D which are portions of Winnemucca Ranch. Electrical easements to each of these wells are also identified on the above referenced Exhibits. All electrical will be placed underground. Seller will landscape all well sites to minimize visual impact at Sellers cost. Seller must also house pumps and back up power generation in insulated buildings to reduce possible noise pollution. No chlorination will be allowed on any of the above referenced easements except within or adjacent to the Tuscarora Pipeline Easement. Purchaser reserves the right to move placement of any chlorination facility prior to construction of Sellers Municipal Water System. For this right Seller and or Bob Marshall will grant a Sign Easement located on Bob Marshalls lower ranch in Warm Springs Valley. Additionally, Seller and or Bob Marshall will also grant a Water Feature and monument sign Easement located on the Seller's main ranch utilizing some of Bob Marshalls spring water. The Water Feature and cost of operation will be the reponsability of the Purchaser.
17. Attorney Fees. In any action or proceeding involving a dispute between the Purchaser and Seller arising out of the execution of this Option, the prevailing party shall be entitled to receive from the other Party a reasonable attorney fee to be determined by the court or arbitrator.
18. Memorandum of Option. Seller agrees to execute a Memorandum of Option evidencing this Agreement suitable for recordation.
19. Notices. In addition to other legally acceptable methods of delivery, the facsimile transmission of a signed copy of this Option or any notifications called for under the terms and conditions of this Option shall constitute delivery. For purposes of this Option, the addresses of the Parties are as follows:

Seller:
Intermountain Water Supply, Ltd.
Attention: Robert W. Marshall
2440 Holcomb Ranch Road
Reno, Nevada 89511
775-852-1611 - Phone
775-852-2523 - Facsimile

Purchaser:
Randall L. Venturacci
3500 Lakeside Court, Suite 101
Reno, Nevada 89509
775-826-5500 - Phone
775-826-9136 - Facsimile

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the date(s) shown below.

SELLER:

INTERMOUNTAIN WATER SUPPLY, LTD.
a Nevada Limited Liability Company

By: Intermountain Pipeline, Ltd., Manager

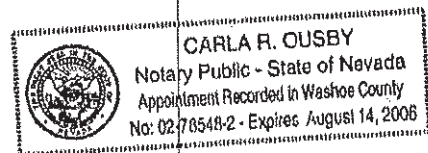
By: Robert W. Marshall
Robert W. Marshall, Co-Manager

Robert W. Marshall
Robert W. Marshall *individually*


STATE OF NEVADA)
 :ss
COUNTY OF WASHOE)

This Option to Purchase Water Rights was acknowledged before me on this 8th day of December, 2004, by ROBERT W. MARSHALL, Co-Manager of INTERMOUNTAIN PIPELINE, LTD. on behalf of said limited liability company.

Carla R. Ousby
Notary Public

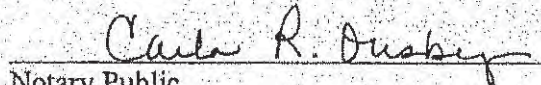


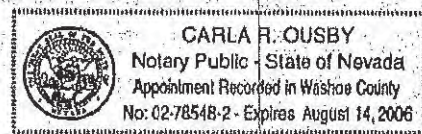
PURCHASER:


Randall L. Venturacci

STATE OF NEVADA)
 :SS
COUNTY OF WASHOE)

This Option to Purchase Water Rights was acknowledged before me on this 8th day
of DECEMBER, 2004, by RANDALL L. VENTURACCI.


Notary Public



APN:N/A

WHEN RECORDED MAIL TO:

WATER RIGHTS DEED

THIS WATER RIGHTS DEED is made and entered into this ____ day of _____, _____, between **INTERMOUNTAIN WATER SUPPLY, LTD.**, a Nevada limited liability company, ("Grantor"), and _____, ("Grantee").

WITNESSETH:

That said Grantor, for good and valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, hereby, conveys, transfers and quit claims to Grantee, and to its successors and assigns forever, all of Grantor's right, title and interest in and to the water rights described on Exhibit A and incorporated herein by this reference.

TOGETHER WITH, all and singular, the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the said water rights with the appurtenances, unto the said Grantee, and to its successors and assigns forever.

Grantor represents and warrants to Grantee that the described water rights stand in the name of Grantor, are in good standing and are not encumbered by any monetary obligation or lien of any kind whatsoever. Grantor makes no further warranties with respect to the described water rights.

Exhibit A

EXHIBIT A

A portion of Permit 64977, not to exceed _____ acre-feet annually, subject to the terms and conditions of said permit as imposed by the Nevada State Engineer and Nevada law.

EXHIBIT B

EASEMENT DESCRIPTION

Easements for operation and maintenance of a waterline over a parcel of land located in Sections 13 and 14 of Township 24 North, Range 19 East, Mount Diablo Base and Meridian, Washoe County, Nevada, said parcel of land being shown as parcel number 079-200-07 on the Washoe County Assessor's Map current as of 1 October 2004, the centerlines of said easements are more particularly described as follows:

First portion: Located in Section 13 and common to the easement previously granted to Tuscarora Gas Transmission Company by W. Dalton LaRue, Sr. and Juanita S. LaRue in Document No. 2048853, recorded 19 November 1996, Washoe County Records.

Second portion: Beginning at a point on the northerly boundary of the south half of the north half of said Section 14 which is 3,665 feet west of the northeast one-sixteenth corner of said Section 14, said point being the center of an existing unnamed dirt road;

Thence, along the center of said unnamed dirt road in a generally southeasterly direction to a point on the southerly boundary of said south half of the north half of said Section 14.

Third portion: Beginning at a point on the southerly boundary of the south half of the north half of said Section 14 which is 300 feet west of the east one-quarter corner of said Section 14, said point being the center of an existing unnamed dirt road;

Thence, along the center of said unnamed dirt road along a rough arc in a generally counterclockwise northwesterly direction to a point on the southerly boundary of said south half of the north half of said Section 14.

Excepting therefrom any portions of the alignment lying on land belonging to the United States of America.

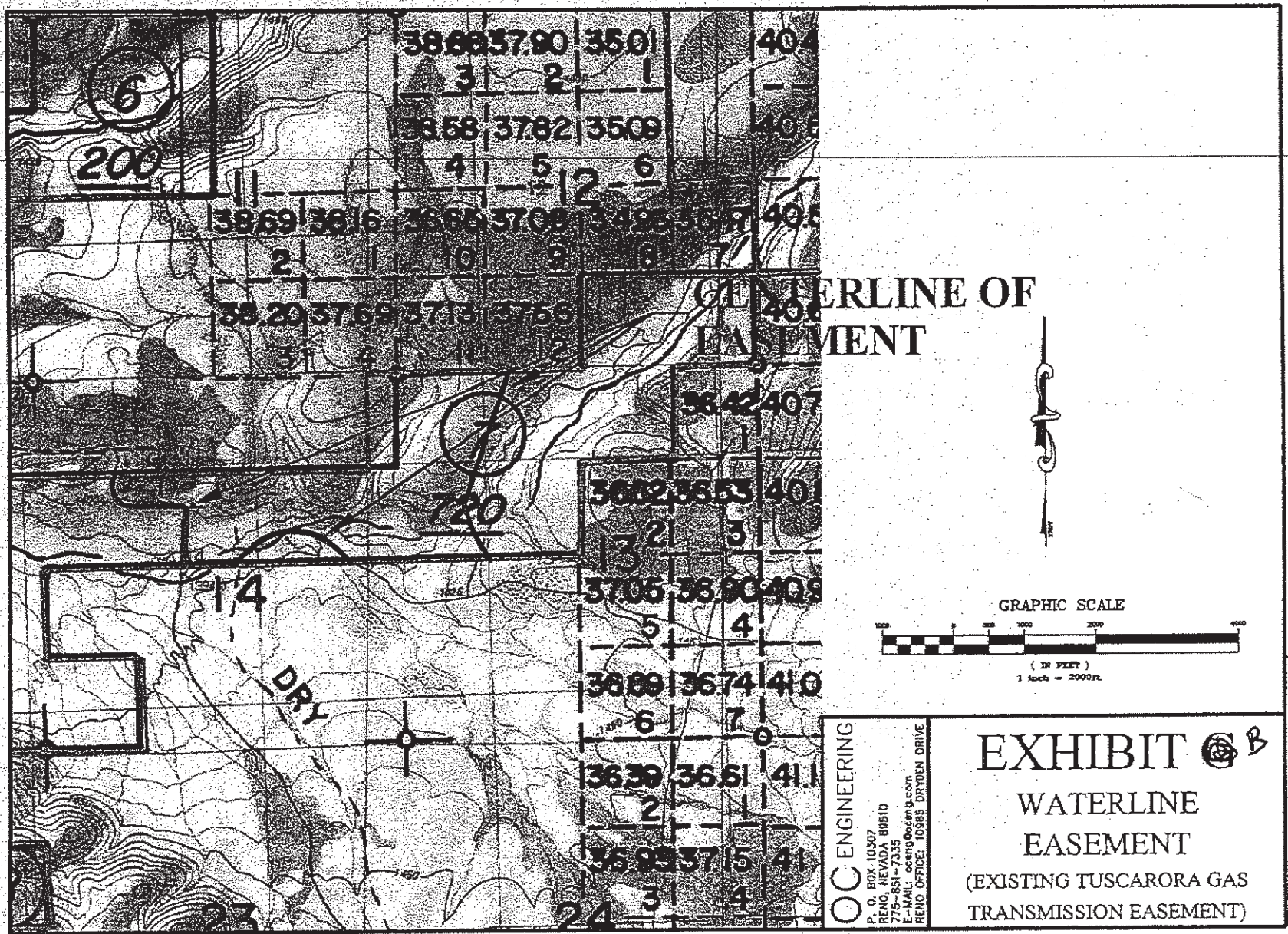
The Basis of Bearings for this legal description is true north.

This legal description was prepared by Arthur C. O'Connor Jr., P. O. Box 10307, Reno, Nevada 89510.

*The easement
is shown
on the map
to be the well*

PLM **JA1798**
SE ROA 1715

SE ROA 1716



JA1799

EXHIBIT **B**

EASEMENT DESCRIPTION

An easement for operation and maintenance of a waterline over a parcel of land located in Section 20 of Township 25 North, Range 19 East, Mount Diablo Base and Meridian, Washoe County, Nevada, said parcel of land being shown as parcel number 074-010-29 on the Washoe County Assessor's Map current as of 1 October 2004, the centerline of said easement is more particularly described as follows:

Beginning at a point on the north boundary of the southwest one-quarter of said Section 20 which is 480 feet east of the west one-quarter corner of said Section 20, said point being the center of an existing road known as ~~"Winnemucca Ranch Road"~~;

Thence, along the center of said ~~"Winnemucca Ranch Road"~~ in a generally southeasterly direction to the intersection of said ~~"Winnemucca Ranch Road"~~ with an unnamed dirt road;

Thence, along the center of said unnamed dirt road in a generally southwesterly direction to a point on the south boundary of the northwest one-quarter of the southwest one-quarter of said Section 20, which is approximately 480 feet east of the southwest corner of said northwest one-quarter of the southwest one-quarter of said Section 20.

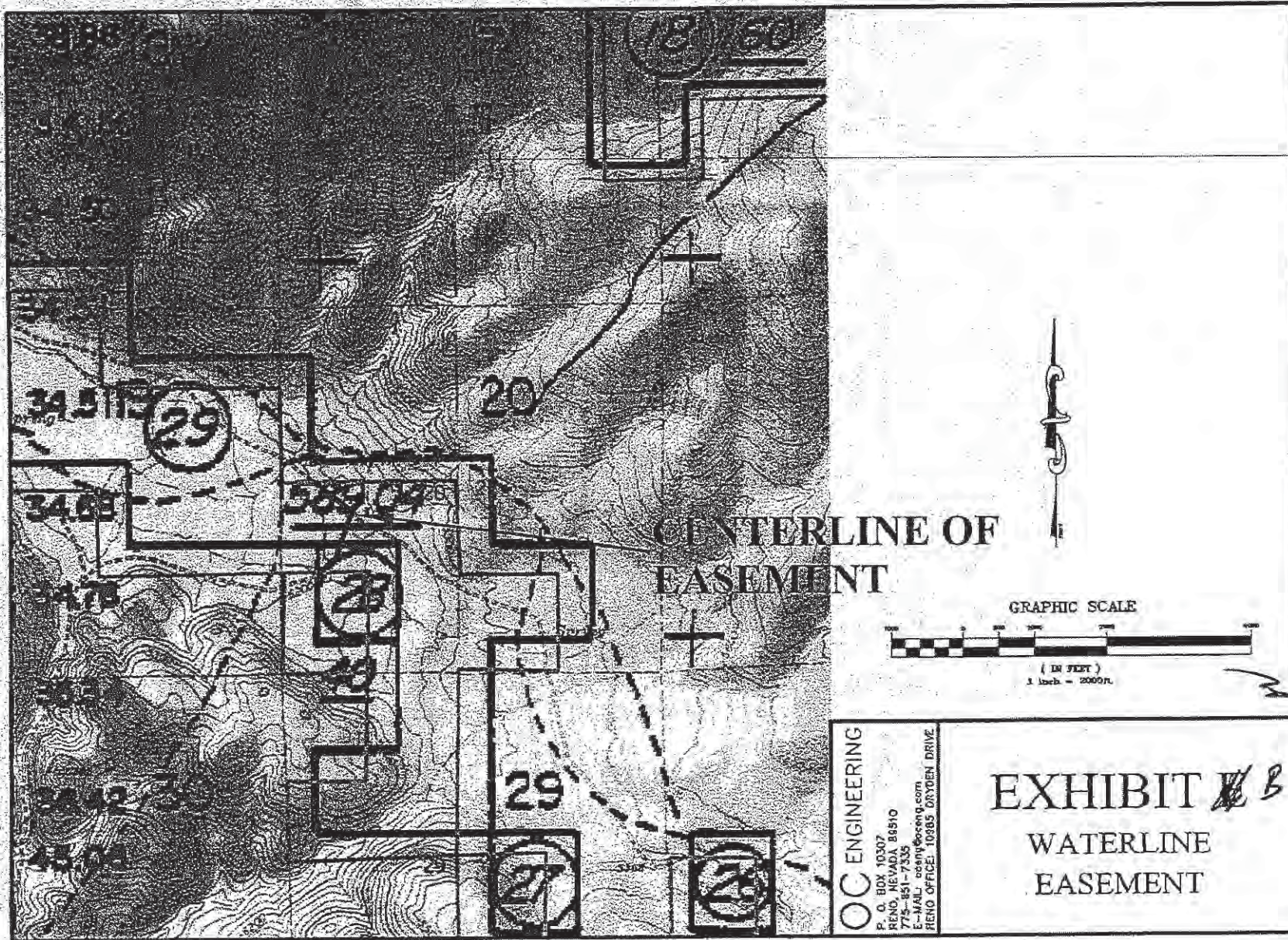
Excepting therefrom any portions of the alignment lying on land belonging to the United States of America.

The Basis of Bearings for this legal description is true north.

This legal description was prepared by Arthur C. O'Connor Jr., P. O. Box 10307, Reno, Nevada 89510.

McLure Webb & Associates
c/o Nevada State Bar
JA1800
SE ROA 1717

SE ROA 1718



W B W B

JA1801

EXHIBIT ~~1~~ 13

EASEMENT DESCRIPTION

An easement for operation and maintenance of a waterline over a parcel of land located in Lot 4 of Section 30 of Township 25 North, Range 19 East, Mount Diablo Base and Meridian, Washoe County, Nevada, said parcel of land being shown as parcel number 074-010-32 on the Washoe County Assessor's Map current as of 1 October 2004, the centerline of said easement is more particularly described as follows:

Beginning at a point on the easterly boundary of said Lot 4 which is 790 feet north of the southeast corner of said Lot 4, said point being the center of an unnamed existing dirt road;

Thence, along the center of said unnamed dirt road in a generally southwesterly direction to a point of the south boundary of said Lot 4, which is approximately 300 feet east of the southwest corner of said Lot 4.

Excepting therefrom any portions of the alignment lying on land belonging to the United States of America.

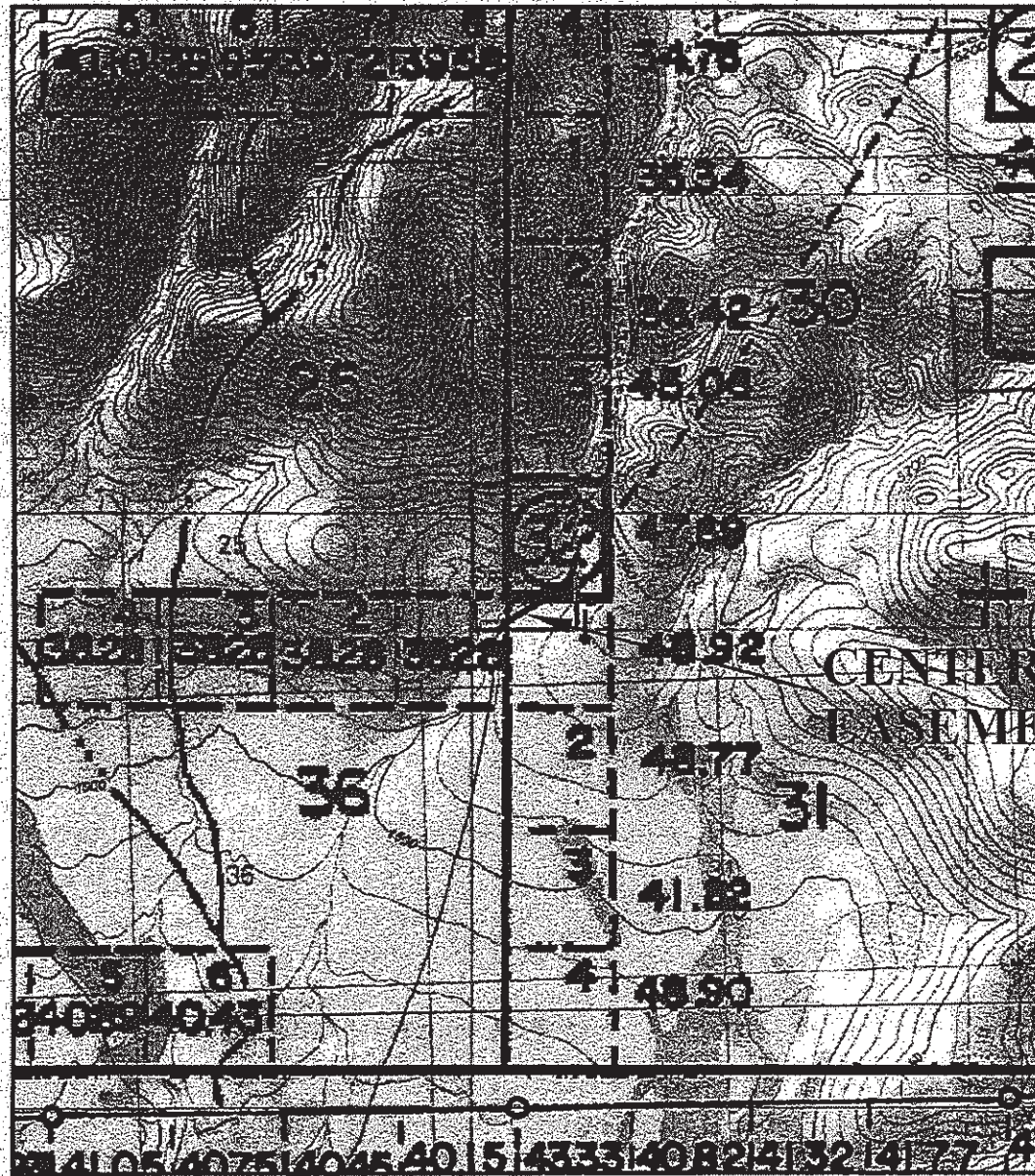
The Basis of Bearings for this legal description is true north.

This legal description was prepared by Arthur C. O'Connor Jr., P. O. Box 10307, Reno, Nevada 89510.

Newcomb Lake
water line
(40' x 40')

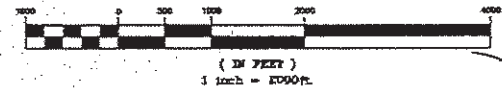
JA1802
SE ROA 1719

SE ROA 1720



CENTERLINE OF
EASEMENT

GRAPHIC SCALE



ENGINEERING
P. O. BOX 10307
RENO, NEVADA 89510
775-361-7335
E-MAIL: eng@eng.com
RENO OFFICE: 10305 DRYDEN DRIVE

EXHIBIT **B**
WATERLINE
EASEMENT

R. W. M. W

JA1803

EXHIBIT # 13

EASEMENT DESCRIPTION

An easement for operation and maintenance of a waterline over a parcel of land located in Sections 10 and 11 of Township 24 North, Range 19 East, Mount Diablo Base and Meridian, Washoe County, Nevada, said parcel of land being shown as parcel number 079-200-06 on the Washoe County Assessor's Map current as of 1 October 2004, the centerline of said easement is more particularly described as follows:

Beginning at a point on the east boundary of the northwest one-quarter of said Section 11 which is 1,190 feet south of the north one-quarter corner of said Section 11, said point being the center of an existing unnamed dirt road;

Thence, along the center of said unnamed dirt road in a generally westerly direction to a point of the west boundary of said Section 11, which is also the east boundary of said Section 10;

Thence, continuing along the center of said unnamed dirt road in a generally southwesterly direction to a point on the south boundary of the southeast one-quarter of the northeast one-quarter of said Section 10, which is approximately 650 feet east of the east quarter corner of said Section 10.

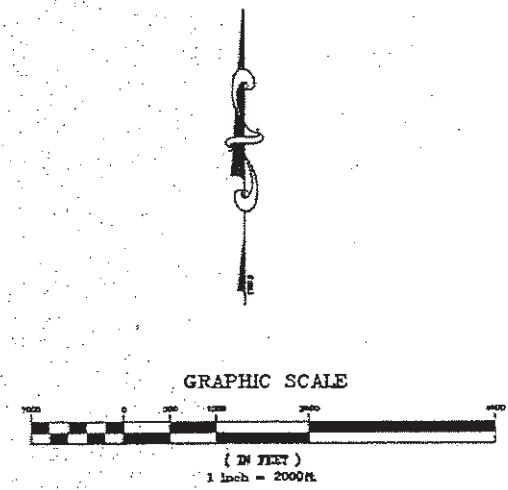
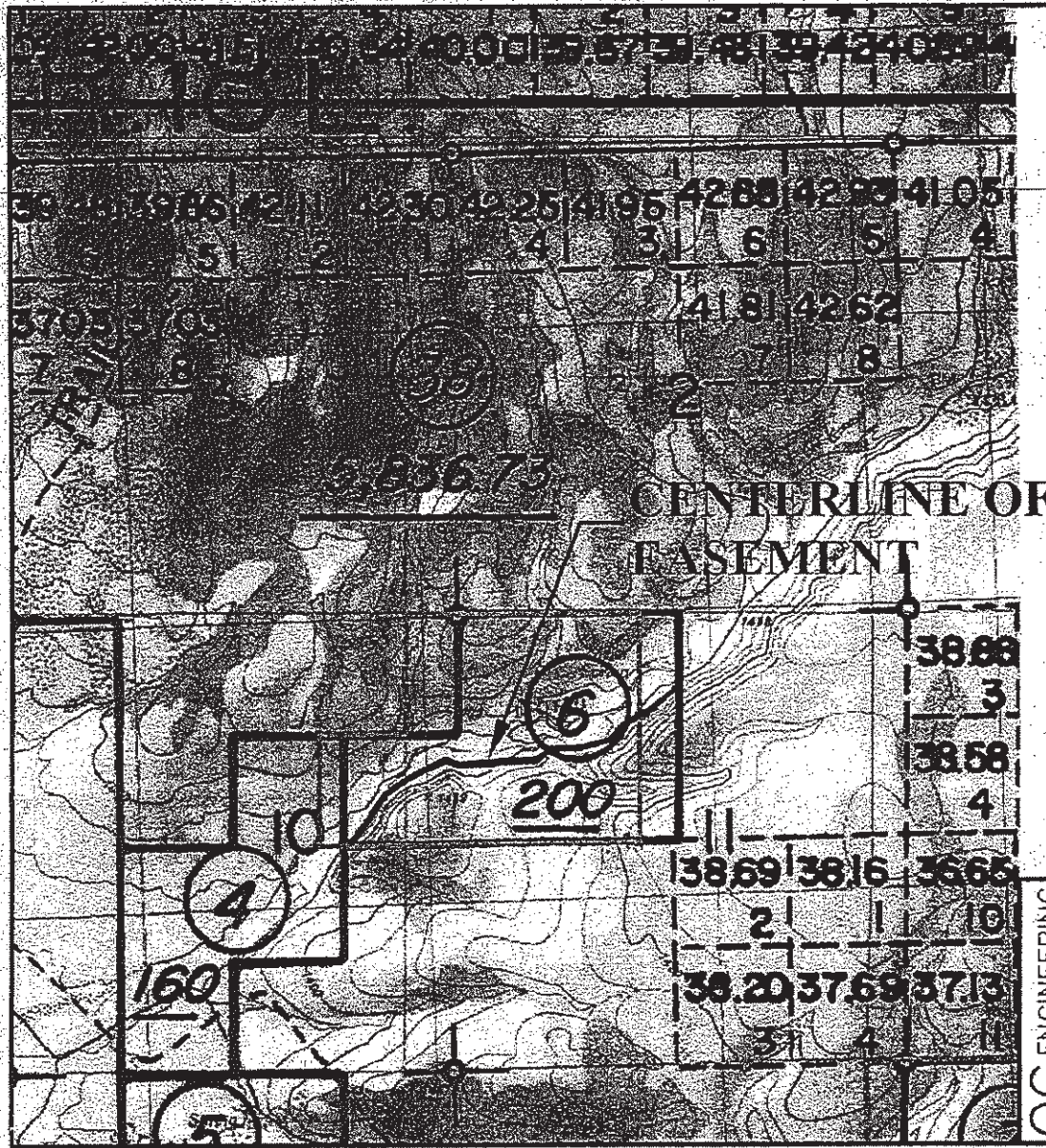
Excepting therefrom any portions of the alignment lying on land belonging to the United States of America.

The Basis of Bearings for this legal description is true north.

This legal description was prepared by Arthur C. O'Connor Jr., P. O. Box 10307, Reno, Nevada 89510.

McWenb
has the water line
out of the 11
JA1804
SE ROA 1721

SE ROA 1722



ENGINEERING
P. O. BOX 10307
RENO, NEVADA 89510
775-951-7335
E-MAIL: eceng@eceng.com
RENO OFFICE: 10985 DRYDEN DRIVE

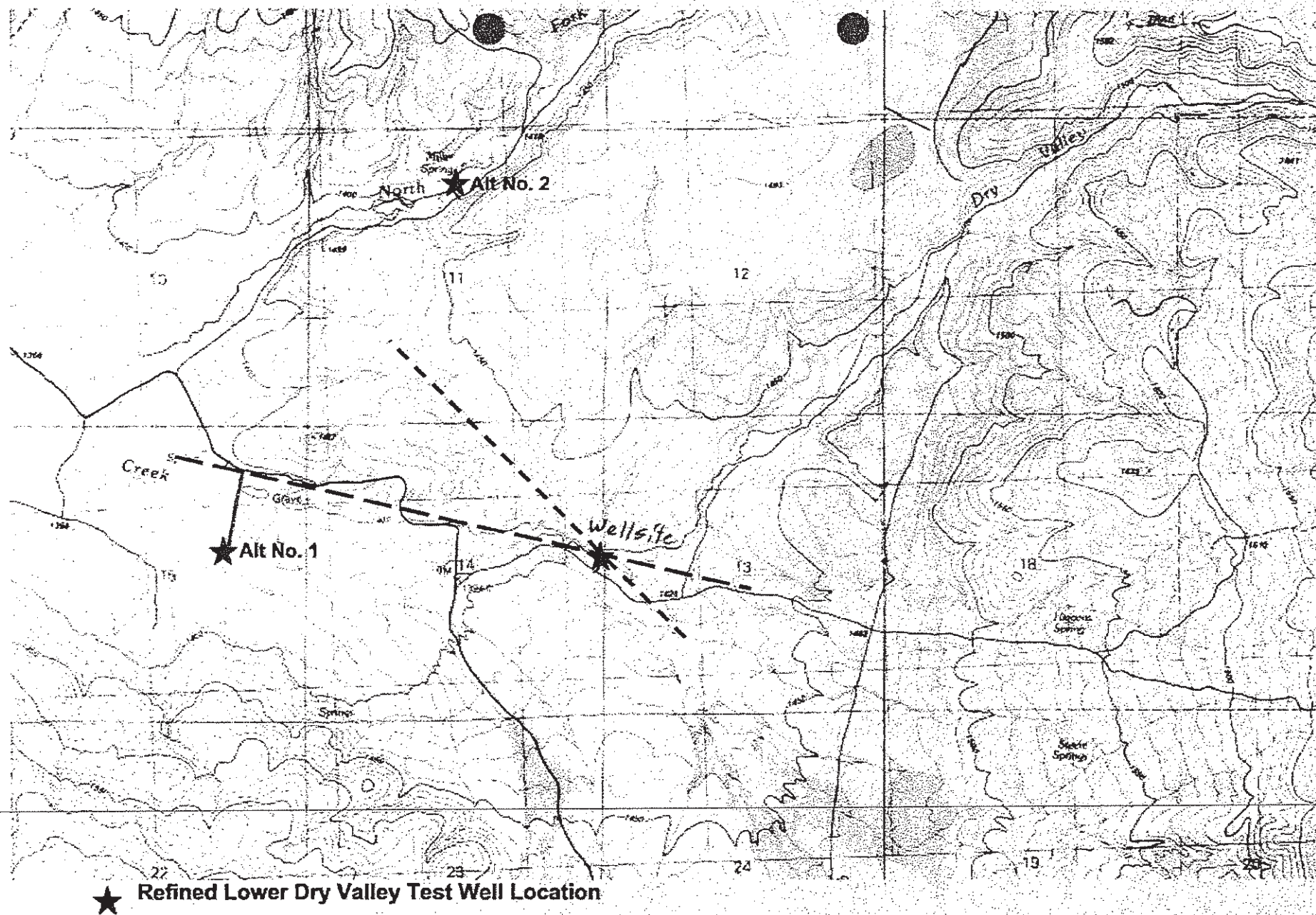
EXHIBIT *ER*
WATERLINE
EASEMENT

Rwm

MA

JA1805

SE ROA 1723 m



JA1806

KENNY C. GUINN
Governor

STATE OF NEVADA



ALLEN BIAGGI
Director

HUGH RICCI, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 S. Stewart Street, Suite 2002
Carson City, Nevada 89701
(775) 684-2800 • Fax (775) 684-2811
<http://water.nv.gov>

RE: Application 72700

February 7, 2006

Intermountain Water Supply
2440 Holcomb Ranch Lane
Reno, NV 89511

Ladies and Gentlemen:

You are hereby notified that formal protests were filed in this office on September 12, 2005 against the granting of your application, under the above-mentioned serial number. A copy of the protest is enclosed herewith.

A brochure titled *Practice and Procedure in Protest Hearings Before State Engineer* is available from this office upon request. The contents of this brochure are contained in the Nevada Administrative Code, Chapter 533.

Sincerely,
Hugh Ricci, P.E.

Hugh Ricci, P.E.
State Engineer

HR/lb
Enclosures
cc: Michael Buschelman
Certified Mail # 71067808063000186629

| | | | |
|--|--|---|----------------------------|
| 2. Article Number | | COMPLETE THIS SECTION ON DELIVERY | |
| 7106 7808 0630 0018 6629 | | A. Signature <input type="checkbox"/> Agent X <input type="checkbox"/> Addressee | |
| 1. Article Addressed to: | | B. Received by (Printed Name) | C. Date of Delivery |
| Intermountain Water Supply 2440 Holcomb Ranch Lane Reno, NV 89511 2/7/2006 11:46 AM | | D. Is delivery address different from Item 1? <input type="checkbox"/> Yes If YES enter delivery address below: <input type="checkbox"/> No | |
| | | 3. Service Type <input checked="" type="checkbox"/> Certified | |
| | | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | |
| Code: 72700 pro lb | | | |

PS Form 3811

Domestic Return Receipt

JA1742
SE ROA 1659

ROBERT W. MARSHALL
NANETTE MARSHALL
INTERMOUNTAIN PIPELINE, LTD.
INTERMOUNTAIN WATER SUPPLY, LTD.

*Nevada Div. of Water Resources
901 S. Stewart, Suite 2002
Carson City, NV,
89701*

re: Account *Permits*: 39593, 64073,
64074, 64075, 64076, 64077, 64078,
64079, 49669, 49670, 66873, R-014,
73048, 73049, 73428, 73429, 73430,
66400, 69664, 64977, 64978, 66961,
72700,

This is to notify you of an address change for the above account ---

Old address: 2440 Holcomb Ranch Lane
Reno, Nevada 89511-9549

New address: 175 Stags Leap Circle
Sparks, Nevada 89436-7280

Sincerely,

Robert W. Marshall

RECEIVED
2006 MAR -6 AM 11:57
STATE ENGINEERS OFFICE

JA1743
SE ROA 1660



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Carson City Field Office
5665 Morgan Mill Road
Carson City, Nevada 89701
<http://www.nv.blm.gov>



MAY - 2 2006

In Reply Refer To:
2800 (NV030)

Nevada Division of Water Resources
Attn: Hugh Ricci, State Engineer
901 S. Stewart St., Ste. 2002
Carson City, NV 89701-5250

Dear Mr. Ricci:

On December 12, 2005, Terri Knutson, of my staff, and I met with Jason King, Robert Martinez, and Richard Felling, of your staff, to discuss the *North Valleys Rights-of-Way Projects Final Environmental Impact Statement - Fish Springs Ranch and Intermountain Water*. Included in Appendix D of this Final EIS is a document called *Recommended Water Resources Monitoring and Management Plan for Future Pumping in Honey Lake Valley, Dry Valley, and Bedell Flat, Nevada* (Plan). As was discussed in the meeting in December, this Plan was developed and recommended in coordination with the Cooperating Agencies for the EIS and for your consideration. The Cooperating Agencies for the North Valleys EIS are: U.S. Fish & Wildlife Service; U.S. Bureau of Indian Affairs; U.S. Geological Survey; Sierra Army Depot; Pyramid Lake Paiute Tribe; Susanville Indian Rancheria; California Department of Water Resources; California Department of Fish and Game; Lassen County, CA; Washoe County, NV; Truckee Meadows Water Authority; Truckee Meadows Regional Planning Agency; Airport Authority of Washoe County; City of Reno; and City of Sparks.

The Final EIS was released to the public on November 10, 2005 and the comment period ended on December 30, 2005. A total of 13 comment letters were received and seven of those letters were from Cooperating Agencies (BIA-Western Nevada Agency and Western Regional Office; Lassen County; California Water Resources; Pyramid Lake Paiute Tribe; Susanville Indian Rancheria; and Truckee Meadows Regional Planning Agency). All but one of the comment letters from the Cooperating Agencies contained revisions for the Plan. Attached is the revised Plan incorporating all comments received from the Cooperating Agencies.

The BLM Carson City Field Office strongly urges the implementation of the attached Plan. As stated in NRS 534.250(5.) "The State Engineer shall require the holder of a permit to monitor the operation of the project and the effect of the project on users of land and other water within the area of hydrologic effect of the project. In determining any monitoring requirements, the State Engineer shall cooperate with all government entities which regulate or monitor, or both, the quality of water." As described in the document, the BLM would not take a lead role in implementing the Plan but would be happy to help or facilitate in any other way needed. Please notify this office of any decisions you make in this matter. The record of decisions (RODs) for

JA1744
SE ROA 1661

both the Fish Springs Ranch and Intermountain Water Projects should be issued within the next month.

Thank you for your consideration in review of this document. If you have any questions, please call either myself at 885-6000 or Terri Knutson at 885-6156.

Sincerely,

Donald T. Hicks

Donald T. Hicks
Manager,
Carson City Field Office

Enclosure: *Revised Recommended Water Resources Monitoring and Management Plan for Future Pumping in Honey Lake Valley, Dry Valley, and Bedell Flat, Nevada*

Cc: U.S. Fish & Wildlife Service; U.S. Bureau of Indian Affairs; U.S. Geological Survey; Sierra Army Depot; Pyramid Lake Paiute Tribe; Susanville Indian Rancheria; California Department of Water Resources; California Department of Fish and Game; Lassen County, CA; Washoe County, NV; Truckee Meadows Water Authority; Truckee Meadows Regional Planning Agency; Airport Authority of Washoe County; City of Reno; and City of Sparks.

REVISED

RECOMMENDED WATER RESOURCES MONITORING AND MANAGEMENT PLAN

FOR FUTURE PUMPING IN HONEY LAKE VALLEY, DRY VALLEY, AND BEDELL FLAT, NEVADA NORTH VALLEYS RIGHTS-OF-WAY PROJECTS

(Submitted to the Nevada State Engineer)

The purpose of this Monitoring and Management Plan (**Plan**) is to describe monitoring and management activities of water resources and related potential impacts due to development of groundwater resources in eastern Honey Lake Valley, Dry Valley, and Bedell Flat associated with the proposed North Valleys Rights-of-Way Projects (**Projects**). This Plan applies to proposed groundwater extraction rates of up to 8,000 acre-feet per year (af/yr) in eastern Honey Lake Valley, 2,000 af/yr in Dry Valley, and 500 af/yr in Bedell Flat. The groundwater would be extracted from these valleys by Fish Springs Ranch and Intermountain Water Supply (**Proponents**) and conveyed via pipelines to the North Valleys Planning Area in Washoe County, Nevada, and also be subject to water right appropriations from the Nevada State Engineer and conformance with Nevada State law concerning adverse impacts to public resources. This Plan is prepared to cover both Proponents; site-specific proposed monitoring activities are presented in **Attachment A** (Honey Lake Valley), **Attachment B** (Dry Valley), and **Attachment C** (Bedell Flat).

It should be recognized that this recommended **Plan** was included in the Final EIS (FEIS) due to the lack of concurrence between Cooperating Agencies and the Project Proponents regarding the adequacy of existing data and hydrologic evaluations (contained in the FEIS) to substantiate sustainable annual groundwater extraction levels in the Project areas. This **Plan** is intended to provide the necessary data, provide an early warning capability and provide safeguards for responsible management of the water resources.

Along with the U.S. Bureau of Land Management (BLM) as lead agency, the following groups are cooperating agencies for the North Valleys Rights-of-Way Projects EIS: U.S. Geological Survey (USGS); U.S. Fish and Wildlife Service (USFWS); U.S. Bureau of Indian Affairs (BIA); Pyramid Lake Paiute Tribe; Sierra Army Depot; California Department of Water Resources; California Department of Fish and Game; Washoe County, Nevada; Lassen County, California; Truckee Meadows Water Authority; Truckee Meadows Regional Planning Agency; City of Reno; City of Sparks; Airport Authority of Washoe County; and Susanville Indian Rancheria. This group hereinafter is referred to as the "**Cooperating Agencies**". Because the two project Proponents would eventually be replaced by a local area water purveyor, this potential purveyor should also become a "Cooperating Agency".

The two agencies with primary importance with respect to this Plan are:

- Nevada State Engineer (Nevada Dept. of Conservation and Natural Resources – Division of Water Resources): This state agency has authority to administer the use of water resources in Nevada, including the issuance of water rights.
- U.S. Geological Survey (U.S. Dept. of the Interior): This federal agency is the primary water resources data collection agency in the United States. It is in the process of developing a regional groundwater monitoring program in west-central Nevada and adjoining portions of California.

Because these agencies have the jurisdiction, and over-riding authority and responsibility for the protection of water resources in Nevada and nationwide respectively, they should together provide impartial oversight for development of groundwater for this Project.

This Plan consists of four principal components:

1. Monitoring Requirements, related to production wells, monitoring wells, elevation control, spring flow, water quality, precipitation stations, quality of data, and reporting as proposed in Attachments A, B, and C to this document.

Incorporated in the development of the monitoring plan would be the inclusion of data from *Previous Monitoring*, related to monitoring of surface water and groundwater resources in Honey Lake Valley, Dry Valley, and Bedell Flat, including location of existing supply and monitoring wells, groundwater extraction rates, groundwater level measurements, flow from springs, water quality, precipitation data, and wetland/riparian conditions

2. Management Requirements, related to the creation and role of a Water Advisory Committee (WAC), and a subcommittee of the WAC – the Technical Advisory Committee (TAC), continued use of numerical groundwater flow models, establishment of action criteria, and details of the decision-making process;
3. Mitigation Measures, related to potential mitigation measures that could be implemented if "unreasonable adverse impacts" (to be defined) occur as a result of groundwater extraction associated with the North Valleys Projects; and
4. Modification of Plan, related to procedures that could be followed to modify the Plan if future changing conditions or mitigations warrant modifications.

The common goal of the Proponents, BLM, Cooperating Agencies, and the Nevada State Engineer (all referred to as "**Parties**") in proposing and adopting this plan is to develop water resources data relating to a better understanding and analysis to assist the

Nevada State Engineer in managing development of groundwater resources in Honey Lake Valley, Dry Valley, and Bedell Flat without resulting in unreasonable adverse impacts to public resources and the prior water rights of other appropriators (i.e., receptors). The Parties agree that groundwater extraction and management decisions can be based on data collected and analyzed for these proposed Projects and from the USGS proposed regional monitoring program. The Parties will collaborate via the WAC on technical data collection and analysis provided by the TAC.

The Parties acknowledge that pursuant to NRS 534.110(4) each right to appropriate groundwater in the State of Nevada carries with it the right to make a reasonable lowering of the static groundwater level at the appropriator's point of diversion and that pursuant to NRS 534.110(5) the Nevada State Engineer may allow, at his discretion, the groundwater level to be lowered at the point of diversion of a prior appropriator with the provision that rights of holders of existing appropriations can be satisfied under such express conditions.

The Parties expressly acknowledge that the Nevada State Engineer has, pursuant to both statutory and case law, broad authority to administer groundwater resources in the State of Nevada. The Pyramid Lake Reservation is held in Trust by the United States government. The U.S. and its representative, the BIA hold legal authority and jurisdiction over water resources located on the Reservation. Nothing contained in this Plan shall be construed as waiving or diminishing such authorities.

MONITORING REQUIREMENTS

The Final EIS for the North Valleys Rights-of-Way Projects contains information about water resources data in Honey Lake Valley, Dry Valley, Bedell Flat, and surrounding areas. This information includes location of existing supply and monitoring wells, groundwater extraction rates, groundwater level measurements, flow from springs, water quality, precipitation data, and wetland/riparian conditions. This information, as well as data available from other local, state, and federal agencies, would be compiled into a central database that would be expanded as new data are collected.

where?
who compiles

Generally, project specific monitoring may be the responsibility of the Proponents as recommended or agreed to by the TAC; however, the USGS is in the process of developing a regional groundwater monitoring program in west-central Nevada and adjoining portions of California (i.e., "Regional Study Area"). Objectives are to develop a network of monitoring wells in the Regional Study Area to monitor and document any regional effects of future groundwater development and management on groundwater levels, water quality, and groundwater discharge.

who is responsible
this study?

The USGS regional monitoring network would be designed to supplement rather than replace individual project monitoring programs. For example, Project monitoring would be conducted by the technical agents of the Proponents, while the USGS monitors other wells within Honey Lake Valley, Dry Valley, Bedell Flat, and surrounding basins. The USGS monitoring may include wells in the Project monitoring groups. In addition to

the Proponents, Washoe County, Lassen County, and/or other agencies also may volunteer to participate in some monitoring activities.

The term "as is feasible" as used in this Plan shall relate to mechanical failures or other events/reasons outside the control of the Parties, or agreed by the Parties, that do not permit data collection.

Production Wells

- Discharge rates and groundwater levels may be measured in production wells on a continuous or frequent basis, as is feasible, using permanent recording devices. Water levels could be measured during pumping and non-pumping periods.
- The proposed action includes six production wells at the Fish Springs Ranch property in eastern Honey Lake Valley, five wells in Dry Valley, and two wells in Bedell Flat.
- All monitoring data may be entered into a project database recommended by the TAC.

Monitoring Wells

- A network of monitoring wells has been proposed by the Proponents to measure groundwater levels over time. Monitoring wells are located in Honey Lake Valley (**Attachment A**), Dry Valley (**Attachment B**), Bedell Flat (**Attachment C**). These proposed monitoring networks would be subject to concurrence from the TAC. The USGS likely could establish additional monitoring wells in the Regional Study Area that includes some surrounding valleys that may be affected by groundwater extraction (e.g., Smoke Creek Desert, Pyramid Lake Valley, Warm Springs Valley, Antelope Valley, and/or Long Valley).
- Groundwater levels can be measured, as feasible, using permanent recording devices in selected monitoring wells. For those monitoring wells without continuous monitoring instruments, water levels could be measured initially on a quarterly basis to establish seasonal variations, followed by semi-annual or annual measurements after such seasonal trends have been established.
- The TAC may recommend that new monitoring well(s) be installed in key areas where there are no existing wells available for monitoring. These new wells can be located and constructed in a cost-effective manner, while meeting the objectives of early-warning detection of impacts, if any, from proposed groundwater extraction. Consideration could be given to completing nested wells that monitor individual aquifers at a single location. The Proponent(s) may be responsible for completing new monitoring well(s), unless another member of the Parties or the USGS agrees to complete the well(s).

- Initiation of groundwater level monitoring should commence as soon as possible, recognizing the desire to obtain baseline data prior to groundwater extraction. Groundwater levels should be measured in each aquifer from which ground water is extracted, as is feasible, in basins including and immediately surrounding Honey Lake Valley, Dry Valley, and Bedell Flat.
- Locations and monitoring frequency of the monitoring well network would be reviewed by the TAC on an annual basis, and may be reduced or expanded in scope upon its recommendation to the WAC.
- All groundwater level monitoring data would be entered into the project database on a regular basis, reflecting the monitoring interval chosen.

Elevation Control

- Ground surface and measuring point elevations should be established using survey-grade GPS instrumentation at production and monitoring wells used as part of this Plan. Elevations for surface water and spring monitoring Locations should also be established. The common datum would allow a comparative base for all elevation associated data; including the possibility of the occurrence of subsidence due to groundwater extraction.
- All elevation measurements would be added to the project database that contains project data.

Monitoring Springs and Riparian Areas

- Selected springs and associated riparian areas could be monitored on a quarterly basis located in Honey Lake Valley (**Attachment A**), Dry Valley (**Attachment B**), Bedell Flat (**Attachment C**), and some surrounding valleys that may be affected by groundwater extraction (e.g., Smoke Creek Desert). Monitoring may consist of measuring flow rate and photo-documenting general site conditions (see attachments for proposed site-specific monitoring activities). Flow can be estimated for low flow conditions or where flow is diffuse on the ground surface. Monitoring frequency may be reduced later as recommended by the TAC to semi-annually or annually.
- Initiation of monitoring for springs and riparian areas could commence as soon as possible, recognizing the desire to obtain baseline data prior to groundwater extraction. Monitoring data may be recorded using a standard format to be used for each monitoring event.

Water Quality

- Groundwater quality samples may be collected from selected production and monitoring wells and analyzed by a laboratory for major ions, trace elements, and/or

isotopes. Wells to be sampled, schedule of sample collection, and list of parameters are included in **Attachments A, B, and C.**

- Frequency, sampling location, and water quality parameters may be reviewed by the TAC on an annual basis, and reduced or expanded in scope upon its recommendation to the WAC.

Precipitation Stations

- Precipitation stations would be established in each of the following locations: eastern Honey Lake Valley, western Dry Valley, and central Bedell Flat. Existing precipitation stations may be used where possible. The purpose of collecting precipitation data is to support conclusions regarding changes in groundwater levels with corresponding changes in precipitation, if it occurs.
- All precipitation data would be entered into the project database.

Quality of Data

- The TAC would ensure that the entity or entities that collect water resources data follow standard protocols of data collection, recording and analysis (e.g., USGS and EPA), unless otherwise agreed to by the Parties.
- The water quality sampling program would include standard field and laboratory quality control procedures.

Reporting

- All data collected under or as described in this Plan, would be fully and cooperatively shared among the Parties, and made available to the public after appropriate QA/QC evaluation procedures have confirmed its accuracy.
- All water resources information collected for the North Valleys Projects would be downloaded to the project database and updated periodically on a website that is accessible to all Parties and the public.
- In addition to updating the water resources project database on a regular basis, an annual summary report would be prepared by the TAC that summarizes all information collected during the previous calendar year, including an analysis of any trends. These reports would be provided to the WAC for annual assessment of potential impacts to water resources resulting from groundwater extraction in Honey Lake Valley, Dry Valley, and Bedell Flat.

MANAGEMENT REQUIREMENTS

Water Advisory Committee (WAC) and Technical Advisory Committee (TAC)

These two committees are to establish and carry out policy (WAC), and to provide the technical scientific expertise (TAC) necessary to impartially develop, evaluate and analyze data. Separation of the roles and responsibilities of these two bodies is crucial to the maintenance of scientific impartiality of the data program.

- The Parties would establish a Water Advisory Committee (WAC) with membership created from representatives from cooperating agencies listed above, BLM, Project Proponents, and Nevada State Engineer. The WAC may also include representatives from the U.S. Environmental Protection Agency and U.S. Army Corps of Engineers. A representative of the Nevada State Engineer's Office would be invited to participate as the chair of the WAC.
- The WAC would create a Technical Advisory Committee (TAC) as a subcommittee to the WAC. TAC members would be appointed by the WAC.
- The WAC would meet in the first quarter of each year, or at other times as mutually agreed upon.
- The TAC would meet initially to establish and execute the monitoring plan and, thereafter, at intervals deemed appropriate to review and analyze data.
- Roles and responsibilities of the WAC and TAC would be determined by the Parties under advisement of the Nevada State Engineer's Office.

Suggested purposes and functions of the WAC would be to:

1. Provide a forum for discussion of relevant data and analyses.
2. Share information regarding modeling efforts and model results, if used as part of the monitoring and management program.
3. Discuss needs for additional data collection and scientific investigations as recommended by the TAC.
4. Provide status reports and recommendations to the Parties.
5. Form recommendations for groundwater management actions based on reports from the TAC.
6. Recommend values for monitored variables (water levels, spring discharges, etc.) known as "action criteria", which, if exceeded, could be of concern to the parties. The values would be based on evaluations of historic hydrologic conditions and trends reported by the TAC.
7. Determine what constitutes an "unreasonable adverse impact" on a case-by-case basis.

8. Provide the Nevada State Engineer, Washoe County, and other relevant agencies with results of any analyses or technical evaluations, along with recommendations for specific mitigation.

Suggested purposes and functions of the TAC would be to:

1. Review proposed project monitoring plans and recommend implementation as appropriate.
2. Review historic groundwater level trends, spring and creek flows to determine historic hydrologic trends. Where possible identify wet and dry regimes, climate effects on groundwater recharge rates and base flows in surface waters. Where possible identify critical lows for detrimental impacts on habitat and resource sustainability.
3. Develop/refine standards and quality control procedures for data collection, management and analysis.
4. Evaluate monitoring plans and data to determine whether data gaps exist, make appropriate recommendations to the WAC.
5. Evaluate all monitoring data to determine if any action criteria have been exceeded, indicating a possible unreasonable adverse impact, report findings to the WAC.

Numerical Ground-Water Flow Models

- The TAC can recommend if numerical groundwater flow models that have previously been prepared for the North Valleys Projects for each of the three basins could be updated for use by the TAC/WAC for predicting future impacts.
- If deemed appropriate by the TAC/WAC, the full TAC or members of the TAC could update each model at the request of the Nevada State Engineer. Model output could be in the form of drawdown maps at appropriate intervals as requested by the State Engineer, plots of simulated water levels for the aquifer systems, and results of model calibration. The TAC would provide scientific review of modeling updates and hydrogeologic assumptions.

Action Criteria

- Specific quantitative criteria (action criteria) would be developed by the WAC, based on data developed by the TAC, and recommended to the Nevada State Engineer for possible use to "trigger" management actions.
- Action criteria would be developed by the WAC and recommended to the Nevada State Engineer to provide early warning of unreasonable adverse impacts to public resources and prior water rights of other appropriators. These criteria would be based on changes in groundwater levels, flow of springs, water quality, and/or changes in wetland/riparian habitat that can be attributed to groundwater extraction by the Project(s).

- If and when any action criterion is reached, the following management actions could be triggered:
 1. The WAC would request that the TAC conduct a thorough fact-finding to determine the level and extent of impacts, the TAC would report findings to the WAC;
 2. If WAC members agree that the action criterion exceedance is attributable to groundwater extraction by the Project(s), then the TAC would make recommendations to the WAC for possible mitigation actions to alleviate the impacts;
 3. The WAC members would determine whether or not to implement the recommended mitigation actions. The Nevada State Engineer's Office would determine whether the appropriate actions were implemented to conserve the resource.
- In the event that adverse environmental impacts are found to be unrelated to Project operations, the Nevada State Engineer should consult with the USGS regarding regional hydrologic conditions that may be contributing to the impacts.
- Any member of the WAC may propose a change to any action criterion. Any such change could be presented in writing to other members of the WAC, and accompanied by data and scientific analyses to support the proposed change. If the supporting analyses are found to be technically sound, then the WAC may recommend to the Nevada State Engineer that the action criterion be adjusted, as appropriate.

Decision-Making Process

- If the WAC determines that an action criterion is exceeded and attributed to groundwater extraction by the Project(s), based on reports from the TAC, the WAC can recommend a course-of-action (i.e., management activity or mitigation measure). If within the WAC, there are: (1) different interpretations regarding relationship of an adverse impact to the Project's groundwater extraction; or (2) different opinions on the course-of-action, the Parties may jointly agree to conduct additional data collection and/or data review and analysis directed at resolving the different interpretations or opinions, if possible. If that is not successful, the Parties could refer the issue to their respective managers and the Nevada State Engineer. Nothing herein limits or changes the Nevada State Engineer's authority, and any Party can petition the State Engineer to consider the issue.
- In the event that any of the Parties disagree as to whether the Proponents' proposed or ongoing groundwater extraction will result in unreasonable adverse impacts, any Party may petition the Nevada State Engineer to request that it determine whether there is or is not adverse impact(s) that require implementation of management or mitigation measures.

MITIGATION MEASURES

- The Project(s) can mitigate unreasonable adverse impacts either as agreed upon by the Parties or after the Nevada State Engineer determines whether there are unreasonable adverse impacts due to Project(s) groundwater extraction. The Parties may take necessary steps to ensure that mitigation actions are feasible and reasonable.
- The mitigation portion of the plan should include a bond or escrow account established by the Project Proponents to fund possible mitigation actions.
- Mitigation measures may include one or more of the following:
 1. Geographic redistribution of groundwater extraction;
 2. Reduction or cessation of groundwater extraction from one or more wells;
 3. Restoration/modification of existing habitat;
 4. Establishment of new habitat;
 5. Augmentation of water resources with groundwater extracted for the Project(s);
 6. Purchase other water rights in the area, if available;
 7. Other measures as agreed to by the Parties and/or required by the Nevada State Engineer.

MODIFICATION OF THE PLAN

- The Parties may modify this Plan by mutual agreement. The Parties also acknowledge that the Nevada State Engineer has authority to modify this Plan. In addition, the Parties may individually or jointly petition the Nevada State Engineer to modify this Plan in the event that mutual agreement cannot be reached. Any such petition shall only be filed after 90 days written notice to the remaining Party members. Any Party member, including the Proponents, may submit written comments to the Nevada State Engineer regarding the merits of any such petition for modification.

ATTACHMENT B

PROPOSED MONITORING PLAN FOR DRY VALLEY

ATTACHMENT B PROPOSED WATER RESOURCES MONITORING PLAN FOR DRY VALLEY AREA

This water resources monitoring program is proposed by Intermountain Water Supply for groundwater extraction of up to 2,000 acre-feet per year (af/yr) from five production wells located in Dry Valley, Nevada. The monitoring program would document changes that could be caused by the pumping and transfer of water from Dry Valley to the Stead/Lemmon Valley areas.

GROUNDWATER LEVELS

Depth to groundwater will be measured in all production wells (DV-1 through DV-5) on a daily basis using pressure transducers or sounding probes. Each production well will be equipped with a flow meter to record cumulative water production. Cumulative well production will be recorded at least once per month.

A network of 15 monitoring well sites will be measured for water levels on a minimum quarterly basis. Locations are shown on **Figure D-2** and listed in **Table D-1**. Two of the sites located near the CA-NV state line are nested piezometers (DVM-15/-16 and DVM-17/-18/-19) recently installed by the USGS. All of the wells are located on private property, with the exception of DVM-1 which is located on BLM public land. Permission is still needed from some land owners to gain access to some of the monitoring wells.

Four 6-inch diameter test wells (DVM-1 through DVM-4) ranging in depth from 700 to 800 feet are being installed this year (2005) at the locations of proposed production wells. These test wells will be established as nearby monitoring wells for the production wells that will be installed at a later date. One new monitoring well is proposed for the center of the lower valley floor where deep monitoring wells are presently absent. This new well would be completed to a depth of 700 to 800 feet.

Continuous water level recorders will be installed on two shallow wells (DVM-6 and DVM-17) and two deep wells (DVM-5 and DVM-9 or DVM-18). This will allow daily tracking of water levels from these wells.

Ground surface and measuring point elevations will be measured at each production and monitoring well using a survey-grade GPS instrument. Groundwater level data will be downloaded at least semiannually into a project database and the accuracy of the measurements checked with manual measurements using an electronic sounder. Future groundwater monitoring will be accomplished by a combination of efforts of the well field operator and USGS.

TABLE D-1
Proposed Monitoring and Production Wells for Dry Valley, Nevada

| Well Number | Well Type | Well Depth (feet) | Well Diameter (inches) | Monitoring |
|--------------------|--------------------------------------|-------------------|------------------------|---------------------------------------|
| DVM-1 | Test/Mon. Well | 710 | 6 | Water Level Only |
| DVM-2 | Test/Mon. Well | 800 | 6 | Water Level Only |
| DVM-3 | Test/Mon. Well | 700 | 6 | Water Level Only |
| DVM-4 | Test/Mon. Well | 800 | 6 | Water Level Only |
| DVM-5 | Test/Mon. Well | 600 | 2 | Water Level Only |
| DVM-6 | Monitoring Well | 35 | 2 | Water Level Only |
| DVM-7 | Monitoring Well | 20 | 2 | Water Level Only |
| DVM-8 | Monitoring Well | 23 | 2 | Water Level Only |
| DVM-9 (Lenz) | Domestic Well | 100 | 6 | Water Level Only |
| DVM-10 & -11 | Monitoring Well | 32 | 2 | Water Level Only |
| DVM-12 | Monitoring Well | Unknown | 12 | Water Level Only |
| DVM-13 | Abandoned Domestic Well | 28 | 8 | Water Level Only |
| DVM-14 | Test/Mon. Well | 140 | 6 | Water Level Only |
| DVM-15 & -16 | Monitoring Well – Nested Piezometers | 150, 385 | 2 | Water Level Only |
| DVM-17, -18, & -19 | Monitoring Well – Nested Piezometers | 40, 250, 547 | 2 | Water Level; Quality for DVM-17 & -18 |
| DVM-20 | Monitoring Well | 20 | 2 | Water Level Only |
| DV-1 | Production Well | 700 – 800 | 12 – 16 | Water Level and Quality |
| DV-2 | Production Well | 700 – 800 | 12 – 16 | Water Level and Quality |
| DV-3 | Production Well | 700 – 800 | 12 – 16 | Water Level and Quality |
| DV-4 | Production Well | 700 – 800 | 12 – 16 | Water Level and Quality |
| DV-5 | Production Well | 700 – 800 | 12 – 16 | Water Level and Quality |
| New Well | Monitoring Well – To Be Completed | 700 – 800 | 2 | Water Level Only |

See Figure D-2 for well locations.

GROUNDWATER QUALITY

Groundwater quality samples will be collected from all five production wells and selected monitoring wells and analyzed by a laboratory for major ions, trace elements, and/or isotopes. The wells to be sampled for laboratory analysis include all production wells (DV-1 through DV-5) and the following two nested monitoring wells: DVM-17 (shallow) and DVM-18 (deep) located near the state line (**Figure D-2**).

The following parameters will be measured in each water sample:

- Field Parameters: Water temperature, pH, and specific conductance.
- Common Ions: Calcium, sodium, potassium, magnesium, chloride, fluoride, sulfate, bicarbonate, nitrate, total dissolved solids, and total suspended solids.
- Trace Elements: Arsenic, barium, copper, iron, lead, manganese, and zinc.
- Isotopes: Oxygen-18 and deuterium.

More extensive water quality analysis will be performed for samples from the production wells to meet Safe Drinking Water requirements. Samples will be collected and analyzed from the selected wells on a quarterly basis for the first two years of production well pumping to establish seasonal variations. Thereafter, the wells will be sampled and analyzed semiannually. An exception is that the isotopes will be analyzed only once per year for the first two years.

Frequency, sampling location, and water quality parameters will be reviewed by the WAC on an annual basis, and may be reduced or expanded in scope upon its recommendation.

STREAM FLOW

Miscellaneous stream flow measurements in Dry Valley Creek and North Fork Dry Valley Creek have been made in the past 4 years by the USGS (Berger 2004) and Intermountain Water Supply. Perennial flow is observed to occur in the upgradient portions of these streams until the drainages discharge to the lower valley floor. The proposed production wells are located near the transition zone from perennial to ephemeral or intermittent flows. Approximately 2.5 miles farther downstream near the CA-NV state line, Dry Valley Creek is observed to maintain a small perennial flow for a short reach.

Three continuous stage recorders will be installed on lower North Fork Dry Valley Creek (S-1), upper Dry Valley Creek (S-2), and lower Dry Valley Creek (S-3 near the state line) (**Figure D-2**). The stage data will be converted to flow rate using rating curve information developed from various flow measurements made over a range of flow conditions. This information will better characterize baseline stream flow conditions, and provide a means to monitor potential effects of production wells pumping on surface water flow.

SPRINGS AND RIPARIAN AREAS

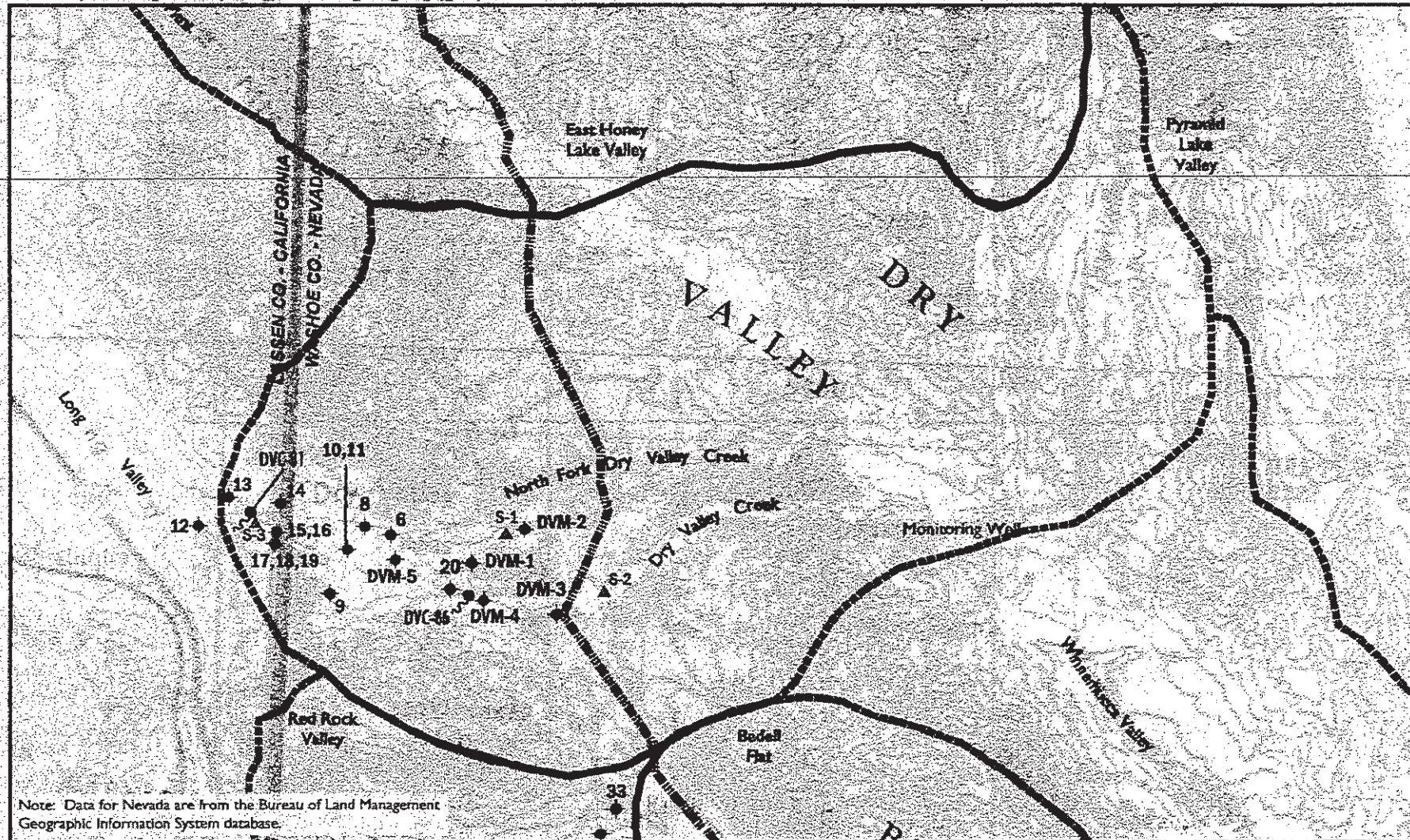
Selected springs and associated riparian areas will be monitored in Dry Valley to determine if pumping from the production wells would have an adverse effect on flow and/or vegetative conditions. The springs selected for monitoring are: DVC-81 (seepage from Dry Valley Creek into a pond); and DVC-86 (Duckweed Spring) (**Figure D-2**). Monitoring activities will be conducted on a quarterly basis, with information

periodically entered into the project database. Monitoring activities will include the following:

- Flow: Flow rate of water discharging from the spring will be measured using a flow meter or portable flume. Alternatively, a staff gage can be installed to measure relative changes in water level if the flow is in a well-defined channel. For low flows or dispersed flows on the ground surface, flows can be estimated.
- Photo-Documentation of Vegetation: One or more photographs will be taken of the spring site from the same location each time so that relative changes in vegetation and overall site conditions can be evaluated.

PRECIPITATION

A precipitation gage will be installed in Dry Valley to measure precipitation amount on a daily basis. This information will be recorded weekly by the well field operator, and periodically entered into the project database.



Note: Data for Nevada are from the Bureau of Land Management Geographic Information System database.



- 37 ◆ Monitoring Well
(DVM-1 through DVM-5
are adjacent to proposed
production wells)
- S-1 ▲ Stream Gage
- DVC-41 ● Spring

- Public Ownership**
- Bureau of Land Management
- ▬▬▬ Tuscarora Natural Gas Pipeline
- Watershed Boundary

Proposed Monitoring Sites
Dry Valley
North Valleys Rights-of-Way Projects EIS
Washoe County, Nevada
FIGURE D-2

JA1760

KENNY C. GUINN
Governor

STATE OF NEVADA



ALLEN BIAGGI
Director

HUGH RICCI, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 S. Stewart Street, Suite 2002
Carson City, Nevada 89701
(775) 684-2800 • Fax (775) 684-2811
<http://water.nv.gov>

June 19, 2006

Dorothy A. Timian-Palmer
Chief Operating Officer
Fish Springs Ranch, LLC
3480 GS Richards Blvd., Suite 101
Carson City, NV 89703

RE: Groundwater Monitoring and Management Plan for Future Pumping in the Fish Springs Ranch Area as Part of the North Valley's Right-of-Way Projects, Washoe County, Nevada.

Dear Ms. Timian-Palmer:

We have received your monitoring and management plan (Plan) for the Fish Spring's Ranch groundwater pumping associated with the North Valley's importation project. By your letter of May 23, 2006, the Plan submitted pursuant to the conditions of Ruling 3787 and 3787A is found as Attachment A of Appendix D, of the North Valleys Right-of-Way Projects Final EIS. Monitor wells and springs are shown on Figure D-1 of Attachment A. A list of the wells with survey coordinates was also attached to your correspondence of May 23, 2006.

There were a few minor differences between your attached list of proposed monitor wells and Figure D-1 of Attachment A. Figure D-1 shows well Headquarters MW-2, however the table lists Headquarters MW-1. Jennifer Morgan of your staff recently clarified that Headquarters MW-2 is the actual well to be monitored. In addition, Ms. Morgan indicated the well shown as BB MWA on Figure D-1 is the same as well BB-2A in your table.

As we discussed at our meeting of May 8, 2006, there must be two additional monitor wells in addition to the monitor wells shown on Figure D-1 of Attachment A. These wells will be Sand Pass MW-2, to be used in conjunction with Sand Pass MW-1 to determine hydraulic gradient in that location. Another new well is to be located near USGS-01 such that the two wells together will provide information on the groundwater gradient and change in gradient between the Fish Springs Ranch and the Sierra Army Depot. Well USGS-04 was shown on your list of May 23 but is not suitably located to identify changes in gradient between the pumping center and the

JA1761
SE ROA 1678

Sierra Army Depot. These new wells shall be measured at least quarterly. Monitor wells LB2, USGS-04 and well 9 are shown on Figure D-1, but are not currently equipped with a recording pressure transducer. Are these wells part of the monitoring program, and if so, are you planning to equip them with recording devices or to measure manually?

You have requested to exclude High Rock Spring, designated as HLV-165 on Figure D-1, from the monitoring network. High Rock Spring is approximately 12 miles northwest of the center of the planned well field, and your request to remove the site from the network is approved.

The following table is believed to accurately list each of the planned monitor wells. Please contact me if you believe this list to be incorrect, incomplete or if you would like to propose changes. The Plan is tentatively approved subject to clarification on the status of USGS-04, LB2 and well 9 and to the addition of one new monitor well near USGS-01, whose location and depth must be pre-approved by this office. The Nevada Division of Water Resources reserves the right to amend this plan any time during the life of the project as conditions warrant.

| Proposed Fish Springs Ranch Monitoring Well Network | | | | | | |
|---|---------------------|----------------------|----------------------------|-----------------|---------------------------|--|
| Well Name | Location | | Elevation (feet m.s.l.) | Depth (feet) | Perfd. interval (feet) | |
| | Latitude | Longitude | | | | |
| 1 Wilson MW-1 | 40° 05' 33.8160717" | 119° 55' 49.3857934" | 4000.36 | 440 | 146 - 440 | |
| 2 Ferrel MW-1 | 40° 05' 32.9996883" | 119° 55' 00.0216541" | 3998.5 | 252 | 63 - 252 | |
| 3 Ferrel Playa MW | 40° 05' 49.6570620" | 119° 54' 11.5199254" | 3979.01 | 477 | 123 - 477 | |
| 4 Jarboe MW-1 | 40° 05' 07.4465484" | 119° 53' 08.5930509" | 4031.4 | 497 | 140 - 497 | |
| 5 Jarboe MW-2 | 40° 05' 07.4416921" | 119° 53' 08.6736875" | 4032.42 | 185 | 42 - 105 | |
| 6 Headquarters MW-2 | 40° 05' 51.1370577" | 119° 52' 45.5207317" | 4017.88 | 175 | 49 - 175 | |
| 7 BB-2A (BB-MWA) | 40° 08' 55.7209986" | 119° 51' 59.7122509" | 3992.26 | 475 | 465 - 475 | |
| 8 Schaufus | 40° 07' 42.6" | 119° 50' 46.3" | 4076 | 60? | ? | |
| 9 Hodges MW-1 | 40° 07' 57.4227436" | 119° 50' 31.5750895" | 4018.75 | 260 | 50 - 260 | |
| 10 Cottonwood MW-2 | 40° 06' 46.0935517" | 119° 49' 30.1465441" | 4317.62 | 495 | 180 - 495 | |
| 11 Neversweat MW-2 | 40° 08' 49.1815573" | 119° 48' 56.3318666" | 4179.07 | 500 | 311 - 500 | |
| 12 Astor Pass MW-1 | 40° 11' 54.9722793" | 119° 48' 28.129191" | 4001.65 | 400 | 180 - 390 | |
| 13 Astor Pass MW-2 | 40° 12' 04.6771566" | 119° 48' 58.067799" | 4002.69 | 475 | 262 - 472 | |
| 14 Sand Pass MW-1 | 40° 13' 01.6915970" | 119° 49' 30.6319558" | 4076.99 | 712 | 546 - 712 | |
| 15 Sand Pass MW-2 | 40° 13' 23.8" | 119° 49' 11.9" | 4173.9 | 712 | 546 - 712 | |
| 16 USGS-01 | 40° 07' 39.0094955" | 120° 00' 51.6643144" | 4003.54 | | | |
| 17 West MW | To be determined | | | | | |

Please contact me if you have any questions or concerns related to this monitor plan.

Sincerely,

Richard A. Felling

Richard A. Felling
Chief, Hydrology Section

JA1762
SE ROA 1679

72700

7/17/06: PROPOSED POU IS ALL W/IN
WARM SPRINGS VALLEY, WINNEMUCCA
RANCH LARGE POU; WOULD BE
INTERBASIN TRANSFER FROM DRY
VALLEY. BASE RIGHT PREVIOUSLY
PERMITTED UNDER 64977 FOR EXISTING
POU W/IN LEMMON/NORTH VALLEYS.
DISCUSS ISSUES @ RFA. ALE

TIM W. RECOMMENDS A HEARING RE
CHANGING TO A DIFFERENT BASIN
THAN ORIGINAL INTERBASIN TRANSFER
PERMITTED IN 64977.

Washoe County
Jed protest on 9/12/05



turnipseed engineering ltd.
Water Resource Specialists

3-11-14-23

February 28, 2008

Tracy Taylor
Nevada State Engineer
901 S. Stewart St. 2nd floor
Carson City, NV 89701

Tracy:

Enclosed is a check for \$50 to republish Application 72700. Please change the amount of water requested to 1.38 cfs and 996 AFA. The base permit, 64977 is tied together with permits 64978, and 66400 for a total combined duty of 2996 AFA so the total amount of water permitted will not change.

Thank you in advance for your immediate attention to this matter.

Sincerely,


R. Michael Turnipseed P.E.

R. Michael Turnipseed, P.E.

204 N. Minnesota Street, Suite B Carson City, Nevada 89703
(775) 885-2101 or (775) 230-4381 fax: (775) 885-9410


JA1764
SE ROA 1681

State of Nevada - Division of Water Resources

901 S. Stewart Street
2nd Floor
Carson City, NV 89701

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204 N MINNESOTA ST
CARSON CITY NV 89703

Receipt

| Date | Item | Description | Amount |
|--|---------|--|----------------------|
| 3/3/2008 | PUBFEES | ADDITIONAL PUBLICATION FEES UNDER APPLICATION NO 72700 | 50.00 |
| Received by: Sue Cox  | | | Total \$50.00 |

JA1765
SE ROA 1682

Angela Gault

From: Angela Gault
Sent: Wednesday, March 05, 2008 8:21 AM
To: 'Legals'
Subject: 72700
Attachments: 72700.doc

RGJ/Washoe County

Please publish this notice(s) in your paper once a week for four consecutive weekly issues, the first publication to commence in your first issue after receipt of this letter.

Upon completion of such publication it will be necessary for you to send to this office a proof of publication subscribed to before a Notary Public, showing the dates of the issues of said newspaper wherein such publications were made, and that such newspaper is a newspaper having a general circulation, and that the affiant is the publisher or manager thereof. Also send your bill, which, in accordance with the statutes, must not exceed the sum of fifty dollars. The bill will be paid following receipt of proof of publication.

Thank You,

Angela Gault
Admin. Assist. II
Nevada Division of Water Resources

901 S. Stewart St. Ste. 2002
Carson City, NV 89701
(775)684-2800 Fax:(775) 684-2811

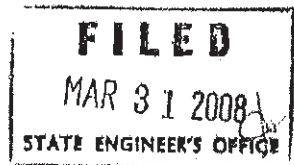
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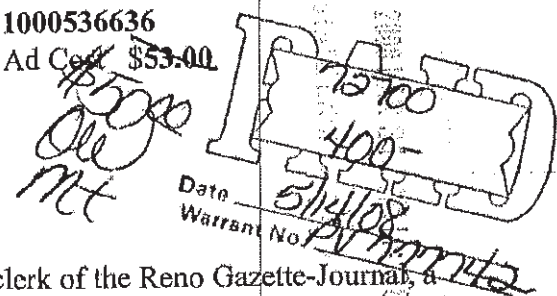
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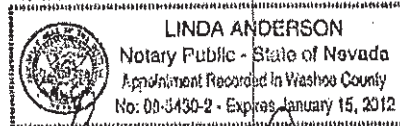
STATE OF NEVADA
COUNTY OF WASHOE



Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: **03/07/2008 - 03/28/2008**, for exact publication dates please see last line of Proof of Publication below.

Signed: *Laura Morris*

Subscribed and sworn to before me



MAR 28 2008

Linda Anderson

Proof of Publication

APPLICATION FOR WATER NO. 72700 NOTICE IS HEREBY GIVEN, that on the 3rd day of May 2005 Intermountain Water Supply, Ltd. of Reno, Nevada made application to the State Engineer of Nevada for permission to divert a portion of water heretofore appropriated from an underground source at a point located within the NW 1/4 NW 1/4 Section 19, T24N, R20E, MDB&M, or at a point from which the NE corner of said Section 19, T24N, R20E, MDB&M bears S 44° 08' 53" E, a distance of 21,262 feet (11 miles W of Sutcliffe). Water will be diverted from an underground source at a point located within the SE 1/4 of Section 2, T24N, R19E MDM or at a point from which the NE corner of said Section 2 bears N 151° 54' E, a distance of 4475 feet (11 miles W of Sutcliffe). Water will be used for municipal and domestic purposes from January 1st to December 31st of each year. The existing point of diversion is from an underground source located within the NW 1/4 NW 1/4 Section 19, T24N, R20E, MDB&M, or at a point from which the SE corner of Section 19, T24N, R20E, MDB&M bears S 44° 08' 53" E, a distance of 21,262 feet. Water was used for municipal and domestic purposes from January 1st to December 31st of each year.

FRIDAY, MARCH 28, 2008

APPLICATION FOR WATER NO. 72700

NOTICE IS HEREBY GIVEN, that on the 3rd day of May 2005 Intermountain Water Supply, Ltd. of Reno, Nevada made application to the State Engineer of Nevada for permission to charge the point of diversion and place of use of 1.38 c.f.s., a portion of water heretofore appropriated under Permit 64977. Water will be diverted from an underground source at a point located within the SE 1/4 of Section 2, T24N, R19E MDM or at a point from which the NE corner of said Section 2 bears N 151° 54' E, a distance of 4475 feet (11 miles W of Sutcliffe). Water will be used for municipal and domestic purposes from January 1st to December 31st of each year. The existing point of diversion is from an underground source located within the NW 1/4 NW 1/4 Section 19, T24N, R20E, MDB&M, or at a point from which the SE corner of Section 19, T24N, R20E, MDB&M bears S 44° 08' 53" E, a distance of 21,262 feet. Water was used for municipal and domestic purposes from January 1st to December 31st of each year.

Hugh Kier, P.O. State Engineer
First publication March 7, 2008
Last Publication March 28, 2008

7/14/21/26/2008

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Newspaper
errors
JH
4/4/08*

MAR 05 2008

APPLICATION FOR WATER NO. 72700

NOTICE IS HEREBY GIVEN, that on the 3rd day of May 2005 Intermountain Water Supply, Ltd. of Reno, Nevada made application to the State Engineer of Nevada for permission to change the point of diversion and place of use of 1.38 c.f.s., a portion of water heretofore appropriated under Permit 64977. Water will be diverted from an underground source at a point located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, T24N, R19E MDM or at a point from which the NE corner of said Section 2 bears N 15° 54' E a distance of 4475 feet (11 miles W of Sutcliffe). Water will be used for municipal and domestic purposes from January 1st to December 31st of each year. The existing point of diversion is from an underground source located within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11, T24N, R19E, MDB&M, or at a point from which the SE corner of Section 19, T24N, R20E, MDB&M bears S 44° 08' 53" E, a distance of 21,262 feet. Water was used for municipal and domestic purposes from January 1st to December 31st of each year.

Hugh Ricci, P.E.

State Engineer

Date of first publication _____

Date of last publication _____

HR/ag

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STATE OF NEVADA
COUNTY OF WASHOE

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: 04/11/2008 - 05/02/2008, for exact publication dates please see last line of Proof of Publication below.

Signed:

Shana Morris

MAY 2 2008

Subscribed and sworn to before me



LINDA ANDERSON
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 08-5439-2 • Expires January 15, 2012

Linda Anderson

Proof of Publication

APPLICATION FOR WATER NO. 72700 NOTICE IS HEREBY GIVEN, that on the 3rd day of May 2005 Intermountain Water Supply, Ltd. of Reno, Nevada made application to the State Engineer of Nevada for permission to change the point of diversion and place of use of 1.38 c.f.s., a portion of water heretofore appropriated under Permit 64977. Water will be diverted from an underground source at a point located within the SE1/4SE1/4 of Section 2, T24N, R19E MDM or at a point from which the NE corner of said Section 2 bears N 15 degrees 54' E a distance of 4475 feet (11 miles W of Sutcliffe). Water will be diverted for domestic purposes from January 1st to December 31st of each year from an underground source located within the SE1/4SE1/4 of Section 2, T24N, R19E, MDB&M, or at a point from which the SE corner of said Section 2 bears S 44 degrees 08' E, a distance of 21,262 feet. Water will be diverted for domestic purposes from January 1st to December 31st of each year. First publication April 11, 2008 Last Publication, May 2, 2008

Ad Number: 1000547436

Page 1 of 1

JA1769
SE ROA 1686

ADVANTAGE Payment Voucher (PV) Input Form

Date: 05/14/08

Acct. Period*: *Only use end of fiscal year (Jul, Aug, Sept)

Vendor Code/Number*: PUR0002735 *Only use "T" or "D" numbers.

Doc Number: PVE 705 - 00000 77742

Fiscal Year: FY 2007

Vendor Name: Reno Gazette Journal

| Line # | Fund # (4 sp) | Agency (3 sp) | Org (Div/Sec) (4 sp) | Sub Org (Unit) (2 sp) | Appr. Unit (BA# & Cat) (6 sp) | Object Revenue (GL #) (4 sp) | Job # (Prog/Proj) (8 sp) | Amount | Invoice # (12 sp) | Line Description (27 Spaces) |
|--------|---------------|---------------|----------------------|-----------------------|-------------------------------|------------------------------|--------------------------|----------|-------------------|------------------------------|
| 1 | 101 | 705 | 0000 | | 417210 | 7120 | | \$50.00 | 2639172 | Ad # 1000547436 P-72700 |
| 02 | 101 | 705 | 0000 | | 417210 | 7120 | | \$ 50.00 | " | Ad # 1000542309 P-76613 |
| 03 | 101 | 705 | 0000 | | 417210 | 7120 | | \$ 50.00 | " | Ad # 1000542310 P-76790 |
| 04 | 101 | 705 | 0000 | | 417210 | 7120 | | \$ 50.00 | " | Ad # 1000542314 P-76793 |
| 05 | 101 | 705 | 0000 | | 417210 | 7120 | | \$ 50.00 | " | Ad # 1000544902 P-76808 |
| 06 | 101 | 705 | 0000 | | 417210 | 7120 | | \$ 50.00 | " | Ad # 1000545305 P-76813 |
| 07 | 101 | 705 | 0000 | | 417210 | 7120 | | \$ 50.00 | " | Ad # 1000542315 P-76815 |
| 08 | 101 | 705 | 0000 | | 417210 | 7120 | | \$ 50.00 | " | Ad # 1000545315 P-76829 |
| 09 | | | | | | | | | | |
| 10 | | | | | | | | | | |
| 11 | | | | | | | | | | |
| 12 | | | | | | | | | | |
| 13 | | | | | | | | | | |
| 14 | | | | | | | | | | |
| TOTAL: | | | | | | | | \$400.00 | | |

Comments/Text Box (F3) (only first 2 lines print on warrant):

Division of Water Resources; contact Mary @ 775-684-2865 - customer #310374

| | |
|---------------------|--------------------|
| B/A #: | 4172 |
| Grant/Program Name: | |
| Grant #: | |
| Program/Project #: | |
| Div. #/Cat. #: | 70/5 - Cat 10 |
| Approval (Sign): | <i>[Signature]</i> |
| Date Approved: | 5-14-08 |

Doc. Prepared by: Mary Thorson
Date: 05/14/08

PEND3 approved by: *[Signature]*
Date: 5/14/08

PEND4 approved by: *[Signature]*
Date:

Reno Gazette Journal

SE ROA 1687

JA1770

**IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA**

IN THE MATTER OF PROTESTED)
APPLICATION 72700 FILED TO CHANGE THE)
POINT OF DIVERSION AND PLACE OF USE)
OF A PORTION OF THE PUBLIC WATERS OF)
AN UNDERGROUND SOURCE PREVIOUSLY)
APPROPRIATED UNDER PERMIT 64977)
WITHIN THE DRY VALLEY HYDROGRAPHIC)
BASIN (95), WASHOE COUNTY, NEVADA.)

RULING
#5897

GENERAL

I.

Application 72700 was filed on May 3, 2005, by Intermountain Water Supply, Ltd., to change the point of diversion and place of use of 1.38 cubic feet per second, not to exceed 996 acre-feet annually (afa), a portion of the underground water previously appropriated under Permit 64977. The proposed manner of use and place of use is described as being for municipal and domestic purposes within a portion of the Warm Springs Valley Hydrographic Basin (84). The proposed place of use is further described as being located within a portion of Sections 12, 13, 14, and 24, T.24N., R.19E., M.D.B.&M., and a portion of Sections 7, 17, 18, 19, 21, 27, 28, 29, 30, 32, 33 and 34, T.24N., R.20E., M.D.B.&M. The existing place of use is described as being within the Lemmon Valley Hydrographic Basin (92). The existing place of use is further described as being located within Sections 1 through 36, T.21N., R.19E., M.D.B.&M., Section 36, T.21N., R.18E., M.D.B.&M., Sections 1 through 12, 15, 16, and 17, T.20N., R.19E., M.D.B.&M., and Sections 1 and 12, T.20N., R.18E., M.D.B.&M. The change requested by Application 72700, if approved, would transfer the Applicant's existing point of diversion from the NW¼ NW¼ of Section 11, T.24N., R.19E., M.D.B.&M., to a point located within the SE¼ SE¼ of Section 2, T.24N., R.19E., M.D.B.&M.¹

II.

Application 72700 was timely protested by Washoe County on the following grounds:¹

The above referenced application proposes to change the point of diversion and place of use of a portion of permit 64977. State Engineer has previously granted permits 64977, 64978, and 66400 with a total approximate combined duty of 3000 acre-feet. Application 66961 with a duty of 2000 acre-feet is pending

¹ File No. 72700, official records in the Office of the State Engineer.

Washoe County has filed informal protests against permits 64977, 64978 & 66400; and formal protests against application 66961 and change applications 69663, 69664 and 69665.

Washoe County's protests and objection to these filings is not against any one particular application, rather against all filings, which collectively seek 5,000 acre-feet of water from Dry Valley hydrographic basin. Previous and ongoing studies suggest that such quantities of water may not be available for appropriation.

Washoe County agrees that some quantity of water is available for appropriation, which based on previous USGS estimates is in the order of 1000 acre-feet annually, which is greater than the 600 acre-feet sought by application 72700. However, so long as the previous appropriations (3000 acre-feet) are not amended down to a sustainable level and pending application 66961 is not denied, Washoe County has no choice but to protest any and all applications within this hydrographic basin.

FINDINGS OF FACT

I.

Nevada Revised Statute § 533.365(3) provides that it is within the State Engineer's discretion to determine whether a public administrative hearing is necessary to address the merits of a protest to an application to appropriate the public waters of the state of Nevada. The State Engineer finds that in the case of protested Application 72700 there is sufficient information contained within the records of the Office of the State Engineer to gain a full understanding of the issues and a hearing on this matter is not required.

II.

The State Engineer issued Permit 64977, which is the basis for change Application 72700, on January 11, 2002, with a duty of water that was not to exceed 1,447 afa. This permit shares a total combined duty of water with Permits 64978 and 66400 of 2,996 afa. In approving Permit 64977, the State Engineer made the determination that Permit 64977 complied with all the statutory requirements for approval. Application 72700 does not seek an additional appropriation of water, only a change in the point of diversion and place of use of an existing water right permit within Dry Valley.²

In State Engineer's Ruling No. 5622, a similar argument regarding re-evaluation of existing permits was rejected by the State Engineer on the grounds that the issue of water availability was settled with the issuance of the base right permit and would not be revisited

² Permit No. 64977, official records in the Office of the State Engineer.

under changes in the point of diversion. When Permits 64977, 64978 and 66400 were issued, the State Engineer made a determination, based on the limited information available at that time, that 2,996 afa of underground water was available for appropriation in the Dry Valley Hydrographic Basin. In State Engineer's Ruling No. 5622 the State Engineer determined:

From an administrative standpoint, it would be problematical for the State Engineer to reduce or extinguish water rights held by existing permit holders based solely upon a newer and lower estimate of perennial yield and the fact that a change application had been filed. When a permit is issued to appropriate the public waters of the state of Nevada there must be some expectation on the part of the permit holder that he may go forward with the development of his project, which necessitates certain expenses and obligations, without a cloud of uncertainty that some future hydrological report may be utilized to take all or a portion of his existing water right permits. This does not mean that existing water rights cannot be regulated. On the contrary, the Nevada Revised Statutes provide regulatory authority to the State Engineer should adverse effects from the pumping of existing groundwater permits occur.³

Permit 64977 also carries a set of specific requirements referred to as permit terms, which provides additional regulatory authority to the State Engineer. The State Engineer finds the regulatory authority within the Nevada Revised Statutes and the terms of Permit 64977 provide additional protection for senior existing water right appropriators and domestic well owners.

The State Engineer finds that the issues related to water availability has been settled with the issuance of Permit 64977 and will not be revisited for a point of diversion and place of use change as proposed under Application 72700. The State Engineer further finds that reducing the annual duty of Permits 64977, 64978 and 66400 is not appropriate and sufficient protections exist within the Nevada Revised Statutes to protect senior existing water right appropriators and domestic well owners from any adverse effects that may occur in the future.

CONCLUSIONS

I.

The State Engineer has jurisdiction over the parties and the subject matter of this action and determination.⁴

II.

The State Engineer is prohibited by law from granting a change application to appropriate the public waters where:⁵

³ State Engineer's Ruling No. 5622, dated June 27, 2006, official records in the Office of the State Engineer.

⁴ NRS chapters 533 and 534.

⁵ NRS § 533.370 (5).

KENNY C. GUINN
Governor

STATE OF NEVADA



ALLEN BIAGGI
Director

HUGH RICCI, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

123 W. Nye Lane, Suite 246
Carson City, Nevada 89706-0818
(775) 687-4380 • Fax (775) 687-6972
<http://water.nv.gov>

RE: 72700

May 12, 2005

Intermountain Water Supply, Ltd.
2440 Holcomb Ranch Lane
Reno, Nevada 89511

Dear Ladies and Gentlemen:

Application No. 72700 for permission to appropriate water was filed in the Division of Water Resources on May 3, 2005 in the name of Intermountain Water Supply, Ltd. by Michael D. Buschelman as agent. \$150.00 was received and Receipt No. 189175 was issued on May 3, 2005 to Michael D. Buschelman Consulting.

Please be advised that, in addition to the correspondence and notices sent to you from the Division of Water Resources relative to these water filings, a copy will be forwarded to Michael D. Buschelman as agent unless we are otherwise instructed by you as the owner of record.

Sincerely,

A handwritten signature in cursive script that reads "Hugh Ricci, P.E.".

Hugh Ricci, P.E.
State Engineer

HR/bh

KENNY C. GUINN
Governor

STATE OF NEVADA



ALLEN BIAGGI
Director

HUGH RICCI, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

123 W. Nye Lane, Suite 246
Carson City, Nevada 89706-0818
(775) 687-4380 • Fax (775) 687-6972
<http://water.nv.gov>

RE: 72700

May 16, 2005

Michael D. Buschelman
PO Box 51371
Sparks, Nevada 89435

Dear Mr. Buschelman:

An application to appropriate the public waters of the State of Nevada was received and filed May 3, 2005. This application was assigned Number 72700.

We are enclosing copies of the original application and a blank amended application so that the following corrections may be made:

NEED A MAP. A supporting map, prepared by a licensed State Water Right Surveyor, is required in support of the application.

In addition to the above corrections, all other appropriate items of the amended application, including current address of the applicant, must again be completed. The name on the amended application must be spelled the same as on the original application or an affidavit of identity will be requested.

The amended application and map must be filed in this office on or before July 15, 2005, or it becomes mandatory of the State Engineer to cancel the above application.


If the application and map are received (properly corrected) within 60 days, the application will retain the priority of its original filing; if not received within the time stated, the application will be cancelled.

Michael D. Buschelman
#72700
May 16, 2005
page 2

Should you have any questions concerning these corrections, please contact
~~Bill McCutars~~ at your earliest convenience.

Hamilton

Sincerely,


Hugh Ricci, P.E.
State Engineer

HR/BM/bh


Enclosures

Certified Mail # 7106 7808 0630 0013 9861

cc: Intermountain Water Supply, Ltd.
Certified Mail # 7106 7808 0630 0013 9878

JA1721
SE ROA 1638

| | | | |
|---|--|--|--|
| 2. Article Number | | COMPLETE THIS SECTION ON DELIVERY | |
|  7106 7806 0630 0013 9878 | | A. Signature X <i>Nan Marshall</i> | <input type="checkbox"/> Agent <input type="checkbox"/> Addressee |
| | | B. Received by (Printed Name) <i>Nan Marshall</i> | C. Date of Delivery <i>5-17-05</i> |
| | | D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES enter delivery address below: <input type="checkbox"/> No | |
| | | 3. Service Type <input checked="" type="checkbox"/> Certified | |
| 1. Article Addressed to: INTERMOUNTAIN WATER SUPPLY LTD 2440 HOLCOMB RANCH LANE RENO, NEVADA 89511 | | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | |
| 5/13/2005 4:09 PM | | | |
| PS Form 3811 File: 72700/bh/rfc Domestic Return Receipt | | | |

| | | | |
|---|--|--|---|
| Article Number | | COMPLETE THIS SECTION ON DELIVERY | |
|  7106 7806 0630 0013 9861 | | A. Signature X <i>Mary Roth</i> | <input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee |
| | | B. Received by (Printed Name) <i>Mary Roth</i> | C. Date of Delivery <i>5-21-05</i> |
| | | D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES enter delivery address below: <input type="checkbox"/> No | |
| | | 3. Service Type <input checked="" type="checkbox"/> Certified | |
| 1. Article Addressed to: MICHAEL D BUSCHELMAN PO BOX 51371 SPARKS, NEVADA 89435 | | 4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes | |
| 5/13/2005 4:05 PM | | | |
| PS Form 3811 File: 72700/bh/rfc Domestic Return Receipt | | | |

JA1722
SE ROA 1639

KENNY C. GUINN
Governor

STATE OF NEVADA



ALLEN BIAGGI
Director

HUGH RICCI, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

123 W. Nye Lane, Suite 246
Carson City, Nevada 89706-0818
(775) 687-4380 • Fax (775) 687-6972
<http://water.nv.gov>

June 21, 2005

RE: 72700

Intermountain Water Supply LTD
2440 Holcomb Ranch Lane
Reno NV 89511

Ladies and Gentlemen:

Please be advised that NRS 533.360 (3b) establishes certain noticing requirements, which must be met by any applicant for underground water for municipal, quasi-municipal, or industrial uses whose reasonably expected rate of diversion is 0.5 c.f.s. or greater. It appears that your Application Number(s) 72700 are subject to this statute. I have enclosed a copy of NRS 533.360 for your information. The State Engineer cannot consider approval of your applications until the noticing requirements are met. If there are no domestic wells within 2,500 feet of the well site, please inform this office in writing.

If you have any questions on this matter, feel free to call me.

Sincerely,


Jason King, P.E.
Deputy State Engineer

JK/sc

cc: Michael D. Buschelman

Enclosures

Nevada Revised Statutes: Chapter 533

NRS 533.360 Notice of application: Contents; publication; mailing required under certain circumstances.

1. Except as otherwise provided in subsection 4, NRS 533.345 and subsection 4 of NRS 533.370, when an application is filed in compliance with this chapter, the State Engineer shall, within 30 days, publish or cause to be published once a week for 4 consecutive weeks in a newspaper of general circulation and printed and published in the county where the water is sought to be appropriated, a notice of the application which sets forth:

- (a) That the application has been filed.
- (b) The date of the filing.
- (c) The name and address of the applicant.
- (d) The name of the source from which the appropriation is to be made.
- (e) The location of the place of diversion, described by legal subdivision or metes and bounds and by a physical description of that place of diversion.
- (f) The purpose for which the water is to be appropriated.

↪ The publisher shall add thereto the date of the first publication and the date of the last publication.

2. Except as otherwise provided in subsection 4, proof of publication must be filed within 30 days after the final day of publication. The State Engineer shall pay for the publication from the application fee. If the application is cancelled for any reason before publication, the State Engineer shall return to the applicant that portion of the application fee collected for publication.

3. If the application is for a proposed well:

- (a) For municipal, quasi-municipal or industrial use; and
 - (b) Whose reasonably expected rate of diversion is one-half cubic foot per second or more,
- ↪ the applicant shall mail a copy of the notice of application to each owner of real property containing a domestic well that is within 2,500 feet of the proposed well, to his address as shown in the latest records of the county assessor. If there are not more than six such wells, notices must be sent to each owner by certified mail, return receipt requested. If there are more than six such wells, at least six notices must be sent to owners by certified mail, return receipt requested. The return receipts from these notices must be filed with the State Engineer before he may consider the application.

4. The provisions of this section do not apply to an environmental permit.

[61:140:1913; A 1925, 121; 1951, 132]—(NRS A 1975, 1397; 1981, 358; 1985, 489; 1989, 319; 1991, 758; 1993, 2641; 1995, 1530; 2001, 551; 2003, 2979)

KENNY C. GUINN
Governor

STATE OF NEVADA



ALLEN BIAGGI
Director

RECEIVED
HUGH RICCI, P.E.
State Engineer

05 JUN 28 PM 2:33

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

123 W. Nye Lane, Suite 246
Carson City, Nevada 89706-0818
(775) 687-4380 • Fax (775) 687-6972
<http://water.nv.gov>

STATE ENGINEERS OFFICE

June 21, 2005

RE: 72700

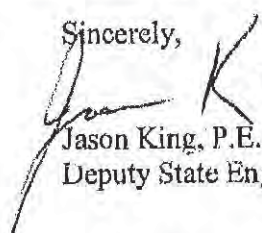
Intermountain Water Supply LTD
2440 Holcomb Ranch Lane
Reno NV 89511

Ladies and Gentlemen:

Please be advised that NRS 533.360 (3b) establishes certain noticing requirements, which must be met by any applicant for underground water for municipal, quasi-municipal, or industrial uses whose reasonably expected rate of diversion is 0.5 c.f.s. or greater. It appears that your Application Number(s) 72700 are subject to this statute. I have enclosed a copy of NRS 533.360 for your information. The State Engineer **cannot** consider approval of your applications until the noticing requirements are met. If there are no domestic wells within 2,500 feet of the well site, please inform this office in writing.

If you have any questions on this matter, feel free to call me.

Sincerely,


Jason King, P.E.
Deputy State Engineer

JK/sc

cc: Michael D. Buschelman

Enclosures

There are no domestic wells within 2500 feet of this point of diversion under No. 72700.

Robert W. Marshall
manager
Intermountain Water Supply

JA1725
SE ROA 1642

Michael D. Buschelman Consulting, Inc.
Post Office Box 51371
Sparks, NV 89435
(775) 355-9628 Office
(775) 355-9629 Fax

July 8, 2005

Jason King, P.E.
Deputy State Engineer
DIVISION OF WATER RESOURCES
123 W. Nye Lane, Suite 246
Carson City, Nevada 89706-0818

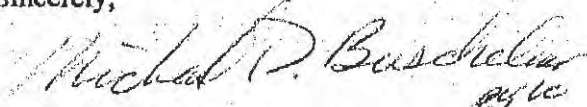
Re: Application 72700
Applicant: Intermountain Water Supply, LTD

Dear Mr. King:

We are in receipt of your June 21, 2005 letter regarding the above-referenced application in Dry Valley Basin No. 95. To the best of our knowledge, there are no domestic wells within 2,500 feet of the proposed point of diversion with regard to the referenced application, with the possible exception of one domestic well controlled by the applicant, within APN 079-220-37.

If you need further information, please contact my office.

Sincerely,


Michael D. Buschelman, PLS, WRS

Cc: Intermountain Water Supply, LTD

RECEIVED
05 JUL 12 PM 2:07
STATE ENGINEER'S OFFICE

JA1726
SE ROA 1643

Michael D. Buschelman Consulting, Inc.
Post Office Box 51371
Sparks, Nevada 89435
(775) 355-9628 Office
(775) 355-9629 Fax

RECEIVED
05 JUL 15 AM 11:08
STATE ENGINEERS OFFICE

July 15, 2005

Hand Delivered

Mr. Hugh Ricci, P.E., State Engineer
Nevada Division of Water Resources
123 West Nye Lane - Room 246
Carson City, Nevada 89706-0818

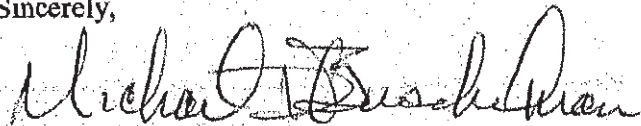
Re: Amended Application to Change No. 72700
Applicant: Intermountain Water Supply, Ltd

Dear Mr. Ricci:

Enclosed please find Amended Application to Change No. 72700 and the required supporting map.

Should you have questions, please contact my office.

Sincerely,



Michael D. Buschelman

Cc w enclosures: Robert Marshall - Intermountain Water Supply, Ltd.

JA1727
SE ROA 1644

**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 03 2005**

Returned to applicant for correction **MAY 16 2005**

Corrected application filed **JUL 15 2005** Map filed **JUL 15 2005**

The applicant **Intermountain Water Supply, Ltd.**

2440 Holcomb Ranch Lane

of

Reno

Street and No. or P.O. Box No.

City or Town

Nevada 89511

State and Zip Code No.

hereby make s application for permission to change the

Point of Diversion and Place of Use of a Portion

of water heretofore appropriated under **Permit No. 64977**

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 sources.

2. The amount of water to be changed **-0.83 cfs - 600.00 acre-foot per annum 1.38 c.f.s. 996 AFA**

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Municipal and Domestic**

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 **Municipal and Domestic**

If for stock, state number and kind of animals.

5. The water is to be diverted at the following point **within the SE 1/4 SE 1/4 of Section 2, T.24N., R.19E.,**

Describe as being within a 40-acre subdivision of public survey and by course

M.D.M., or at a point from which the northeast corner of said Section 2 bears North 15°54" East
and distance to a section corner. If on unsurveyed land, it should be stated.

a distance of 4475 feet. Proposed point of diversion within Basin No. 95, Dry Valley.

6. The existing point of diversion is located within **the NW 1/4 NW 1/4 of Section 11, T.24N., R.19E.,**

If point of diversion is not changed, do not answer.

M.D.M., or at a point from which the southeast corner of Section 19, T.24N., R.20E., M.D.M. bears

South 44°08'53" East a distance of 21,262 feet. Point of Diversion within Basin No. 95, Dry Valley.

*Second Amended
per letter
3-3-2008
REL*

7. Proposed place of use

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

See attached exhibit "PROPOSED PLACE OF USE" for specific subdivisions which include

Washoe County Assessor's Parcel Numbers 079-200-29, 079-200-37, 079-220-18, 079-220-23, 079-220-26,
079-220-28, 079-220-37 and 079-220-39.

8. Existing place of use Sections 1 through 36, T.21N., R.19E., M.D.M.; Section 36, T.21N., R.18E., M.D.M.;

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of

Sections 1 through 12, 15, 16 & 17, T.20N., R.19E., M.D.M. and Sections 1 & 12, T.20N., R.18E., M.D.M.
use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

See map supporting Permit No. 64977.

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

10. Use 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.) Drilled and cased well, equipped with motor and pump.
State manner in which water is to be diverted, i.e. diversion structure, ditches,
pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works \$100,000.00

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

By

Michael D. Buschman
Signature of Agent, Michael D. Buschman

P.O. Box 51371

Street and No., or P.O. Box No.

Sparks, Nevada 89435-1371 (775) 355-9628

City, State, Zip Code No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

RECEIVED
\$150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1583A (Rev. 10-06)

JA1729
SE ROA 1646

PROPOSED PLACE OF USE

| DIVISION | SECTION | TOWNSHIP | RANGE | MERIDIAN |
|----------------------|---------|----------|-------|-----------|
| SW 1/4 NE 1/4 | 12 | 24N | 19E | M.D.B.&M. |
| E 1/2 SW 1/4 | 12 | 24N | 19E | M.D.B.&M. |
| SE 1/4 SW 1/4 SW 1/4 | 12 | 24N | 19E | M.D.B.&M. |
| W 1/2 SE 1/4 | 12 | 24N | 19E | M.D.B.&M. |
| SE 1/4 SE 1/4 | 12 | 24N | 19E | M.D.B.&M. |
| N 1/2 | 13 | 24N | 19E | M.D.B.&M. |
| N 1/2 SW 1/4 | 13 | 24N | 19E | M.D.B.&M. |
| N 1/2 SE 1/4 SW 1/4 | 13 | 24N | 19E | M.D.B.&M. |
| SE 1/4 | 13 | 24N | 19E | M.D.B.&M. |
| NE 1/4 NE 1/4 | 14 | 24N | 19E | M.D.B.&M. |
| S 1/2 NE 1/4 | 14 | 24N | 19E | M.D.B.&M. |
| SE 1/4 SW 1/4 | 14 | 24N | 19E | M.D.B.&M. |
| N 1/2 SE 1/4 | 14 | 24N | 19E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 14 | 24N | 19E | M.D.B.&M. |
| NE 1/4 NE 1/4 | 24 | 24N | 19E | |
| NE 1/4 NW 1/4 NE 1/4 | 24 | 24N | 19E | M.D.B.&M. |
| N 1/2 SE 1/4 NE 1/4 | 24 | 24N | 19E | M.D.B.&M. |
| SE 1/4 SE 1/4 | 24 | 24N | 19E | M.D.B.&M. |
| NE 1/4 SW 1/4 | 7 | 24N | 20E | M.D.B.&M. |
| S 1/2 SW 1/4 | 7 | 24N | 20E | M.D.B.&M. |
| NW 1/4 NW 1/4 | 17 | 24N | 20E | M.D.B.&M. |
| S 1/2 NW 1/4 | 17 | 24N | 20E | M.D.B.&M. |
| N 1/2 SW 1/4 | 17 | 24N | 20E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 18 | 24N | 20E | M.D.B.&M. |
| S 1/2 NE 1/4 | 18 | 24N | 20E | M.D.B.&M. |
| W 1/2 | 18 | 24N | 20E | M.D.B.&M. |
| SE 1/4 | 18 | 24N | 20E | M.D.B.&M. |
| NW 1/4 | 19 | 24N | 20E | M.D.B.&M. |
| E 1/2 SW 1/4 | 19 | 24N | 20E | M.D.B.&M. |
| NE 1/4 NW 1/4 SW 1/4 | 19 | 24N | 20E | M.D.B.&M. |
| NW 1/4 SW 1/4 | 21 | 24N | 20E | M.D.B.&M. |
| SW 1/4 NW 1/4 | 27 | 24N | 20E | M.D.B.&M. |
| W 1/2 SW 1/4 | 27 | 24N | 20E | M.D.B.&M. |
| N 1/2 SE 1/4 | 28 | 24N | 20E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 28 | 24N | 20E | M.D.B.&M. |

PROPOSED PLACE OF USE

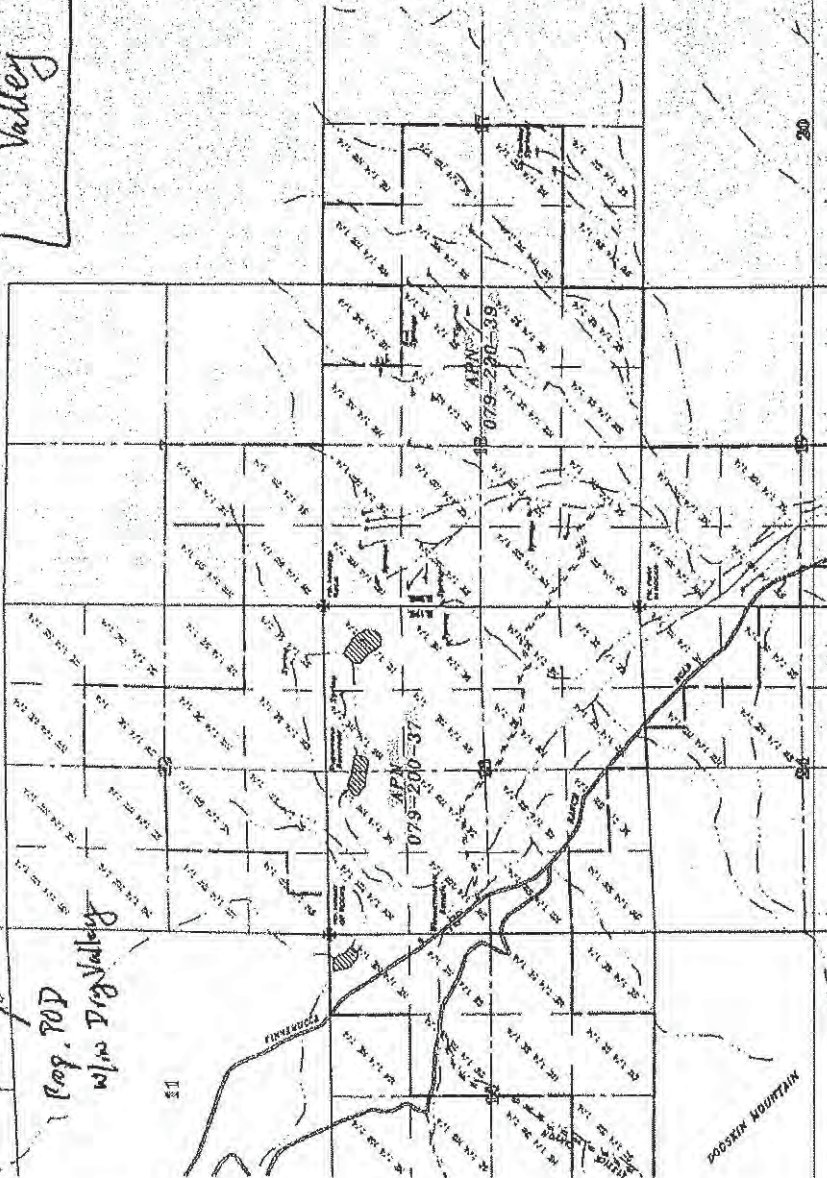
| DIVISION | SECTION | TOWNSHIP | RANGE | MERIDIAN |
|---------------------|---------|----------|-------|-----------|
| S 1/2 SW 1/4 NW 1/4 | 29 | 24N | 20E | M.D.B.&M. |
| SE 1/4 NW 1/4 | 29 | 24N | 20E | M.D.B.&M. |
| NW 1/4 SW 1/4 | 29 | 24N | 20E | M.D.B.&M. |
| S 1/2 SW 1/4 | 29 | 24N | 20E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 30 | 24N | 20E | M.D.B.&M. |
| S 1/2 NE 1/4 | 30 | 24N | 20E | M.D.B.&M. |
| NE 1/4 SE 1/4 | 30 | 24N | 20E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 30 | 24N | 20E | M.D.B.&M. |
| N 1/2 SE 1/4 SE 1/4 | 30 | 24N | 20E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 32 | 24N | 20E | M.D.B.&M. |
| S 1/2 NE 1/4 | 32 | 24N | 20E | M.D.B.&M. |
| NE 1/4 NW 1/4 | 32 | 24N | 20E | M.D.B.&M. |
| NE 1/4 NW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| SW 1/4 NW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| W 1/2 SE 1/4 NW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| W 1/2 NE 1/4 SW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| NW 1/4 SW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| SE 1/4 SW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| NE 1/4 SE 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 34 | 24N | 20E | M.D.B.&M. |

PROPOSED POINT OF DIVERSION AND PLACE OF USE PORTIONS OF SECTIONS 2, 12, 13, 14 & 24, T24N., R.19E. and SECTIONS 7, 17, 18, & 19, T.24N., R.20E., WASHOE COUNTY, NEVADA

BASE OF SURFACE AND
PROPOSED POINT OF DIVERSION



Put all water
Warm Springs
Valley



Michael D. Buchelman
Professional Engineer No. 15,371
State of Nevada

Prepared and signed by me on the 15th day of
August, 2005.
Michael D. Buchelman
Professional Engineer

REFERENCES

1. Nevada Water Code, Chapter 53, NRS - 5300-5399.
2. Nevada State Board of Agriculture, No. 12, 1911.
3. Nevada State Board of Agriculture, No. 12, 1911.
4. Nevada State Board of Agriculture, No. 12, 1911.
5. Nevada State Board of Agriculture, No. 12, 1911.



GRAPHIC SCALE 1" = 1000'

BASIS OF BEARINGS

The bearings and distances are taken from the
Nevada State Board of Agriculture, No. 12, 1911.

Michael D. Buchelman Consulting, Inc.
Post Office Box 31371
Sparks, Nevada 89433
(775) 355-9625 Office 355-9629 FAX

Map is prepared according to the Nevada State
Board of Agriculture, No. 12, 1911, and is subject
to the provisions of the Nevada State Board of
Agriculture, No. 12, 1911.

INTERMOUNTAIN WATER SUPPLY, LTD.
FROM
AN UNDERGROUND SOURCE
WITHIN WASHOE COUNTY, NEVADA

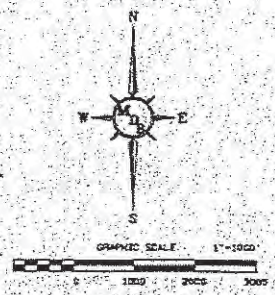
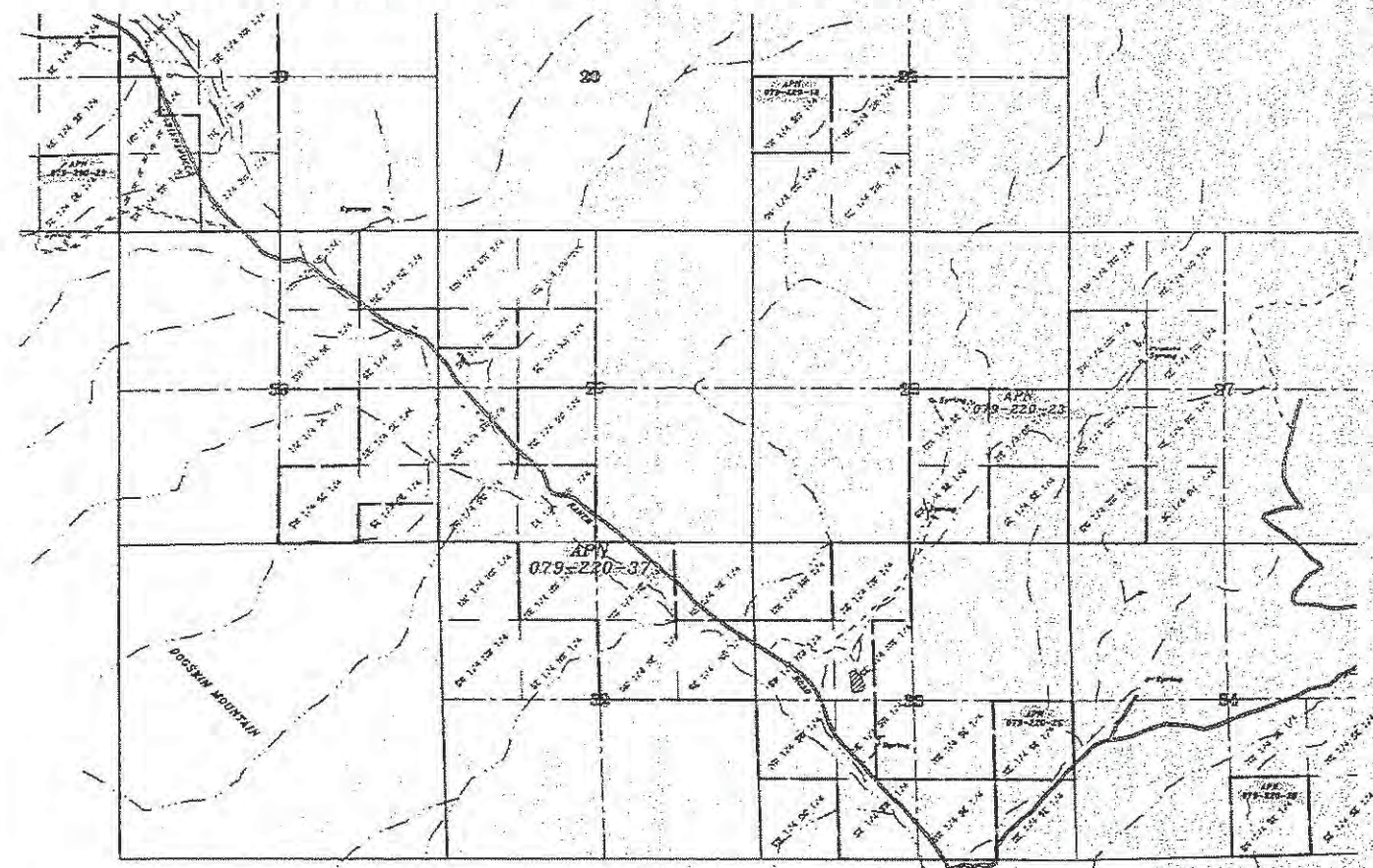
STATE ENGINEER'S USE

DITCH OR DRAINAGE
WELL TIE
PROPOSED POINT
OF DIVERSION
RECORDED ON MAP

LEGEND

- SECTION LINE
- QUARTER SECTION LINE
- 16TH SECTION LINE
- PROPOSED PLACE OF USE
- DRAINAGE
- UNIMPROVED ROAD
- RAIL

PROPOSED PLACE OF USE; PORTION OF SECTION 24, T.24N., R.19E. and PORTIONS OF SECTIONS 19, 21, 27, 28, 29, 30, 32, 33 & 34, T.24N., R.20E., M.D.M., WASHOE COUNTY, NEVADA



SE ROA 1650

Michael D. Buschelman Consulting, Inc.
Post Office Box 51371
Sparks, Nevada 89435
(775) 355-0628 Office 355-0629 FAX

STATE ENGINEER'S USE

FILED
APR 11 1996
WASHOE COUNTY, NEVADA

MAP TO ACCOMPANY APPLICATION FOR PERMIT TO CHANGE THE POINT OF DIVERSION AND PLACE OF USE OF A PORTION OF WATER APPROPRIATED UNDER PERMIT NO. 6477 FOR MUNICIPAL AND DOMESTIC PURPOSES BY

INTERMOUNTAIN WATER SUPPLY, LTD.

FROM AN UNDERGROUND SOURCE WITHIN WASHOE COUNTY, NEVADA

JA1733

ALLEN BIAGGI
Director

HUGH RICCI, P.E.
State Engineer

STATE OF NEVADA
DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES
123 W. Nye Lane, Suite 246
Carson City, Nevada 89706

JUL 21 2005

In reply refer to
No. 72700

Address All Communications to
the State Engineer, Division
of Water Resources
Telephone (775) 687-4380

THE RENO GAZETTE JOURNAL
ATTN LEGAL DEPT
PO BOX 22000
RENO NV 89520

Gentlemen:

Enclosed is notice of Application No. 72700 of Intermountain Water Supply, Ltd. for the waters of an underground source. Please publish this notice in your paper once a week for four consecutive weekly issues, the first publication to commence in your first issue after receipt of this letter.

Upon completion of such publication it will be necessary for you to send to this office a proof of publication subscribed to before a Notary Public, showing the dates of the issues of said newspaper wherein such publications were made, and that such newspaper is a newspaper having a general circulation, and that the affiant is the publisher or manager thereof. Also send your bill, which, in accordance with the statutes, must not exceed the sum of fifty dollars. The bill will be paid on the first of the month following receipt of proof of publication.

Kindly detach the receipt provided below and return to this office with a copy of the notice as first published attached thereto. If this receipt is not received within 15 days of this date it will be assumed that you do not desire the publication, and it will be sent elsewhere.

Sincerely,



State Engineer

HR/ag

Enclosure

_____, Nevada, _____

STATE ENGINEER
Carson City, Nevada

DEAR SIR:

Notice of Application No. _____ for publication in this paper has been received and publication will be made as directed.

Name of Paper

By _____

KINDLY RETURN PROMPTLY ON COMPLETION OF FIRST PUBLICATION

JA1734
SE ROA 1651

R. MICHAEL TURNIPSEED, P.E.
Director

STATE OF NEVADA

HUGH RICCI, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

123 W. Nye Lane, Suite 246
Carson City, Nevada 89706-0818

JUL 21 2005

In reply refer to
No.

72700

Address All Communications to
the State Engineer, Division
of Water Resources

Telephone (775) 687-4380

INTERMOUNTAIN WATER SUPPLY LTD
2440 HOLCOMB LANE
RENO NV 89511

Your application was received and filed in this office under the above mentioned serial number
on.....MAY 03 2005..... The supporting map was received and filed on.....JUL 15 2005.....

Today notice of publication has been mailed to.....The Reno Gazette Journal.....
.....Reno, NV..... In accordance with the law the notice will be
published once a week for four consecutive weekly issues.

Sincerely,

Hugh Ricci, P.E.
State Engineer

HR/ag
CC: Michael D. Buschelman

03/13/22 PM 1:40

STATE ENGINEER'S OFFICE

RENO NEWSPAPERS INC

Publishers of

Reno Gazette-Journal

955 Kuenzli St • P.O. Box 22,000 • Reno, NV 89520 • 775.788.6200

Legal Advertising Office 775.788.6394

FILED

AUG 16 2005

STATE ENGINEER'S OFFICE

NV STATE WATER RESOURCES DIV
123 W NYE LN STE 246
CARSON CITY NV 89706-0838

Customer Acct# 310374

PO# 72700

Ad# 1000084345

Legal Ad Cost \$50.00

STATE OF NEVADA
COUNTY OF WASHOE

ss: Julia Ketcham

Being first duly sworn, deposes and says: That as the legal clerk of the Reno Gazette-Journal, a daily newspaper published in Reno, Washoe County, State of Nevada, that the notice referenced below has published in each regular and entire issue of said newspaper between the dates: 07/23/2005 - 08/13/2005, for exact publication dates please see last line of Proof of Publication below.

Signed

Julia Ketcham

AUG 16 2005

Subscribed and sworn to before me

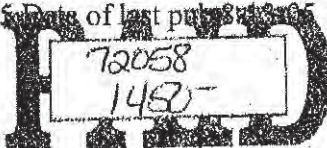


TANA CICCOTTI
Notary Public - State of Nevada
Appointment Recorded in Washoe County
No: 02-75259-2 - Expires May 18, 2006

Tana Ciccotti

Proof of Publication

APPLICATION FOR WATER NO. 72700 NOTICE IS HEREBY GIVEN, that on the 3rd day of May 2005 Intermountain Water Supply, Ltd. of Reno, Nevada made application to the State Engineer of Nevada for permission to change the point of diversion and place of use of 0.83 c.f.s., a portion of water heretofore appropriated under Permit 64977. Water will be diverted from an underground source at a point located within the SE 1/4 SE 1/4 of Section 2, T24N, R19E MDM or at a point from which the NE corner of said Section 2 bears N15 degrees 54' E a distance of 4475 feet (11 miles W of Sutcliffe). Water will be used for municipal and domestic purposes from January 1st to December 31st of each year. The existing point of diversion is from an underground source located within the NW 1/4 NW 1/4 Section 11, T24N, R19E, MDB&M, or at a point from which the SE corner of Section 19, T24N, R20E, MDB&M bears S 44 degrees 08' 53" E, a distance of 21,262 feet. Water was used for municipal and domestic purposes from January 1st to December 31st of each year. Hugh Ricci, P.E. State Engineer Date of first pub 7-23-05 Date of last pub 8-13-05 No. 84345 July 23, 30; Aug 6, 13, 2005



Ad Number: 1000084345

Date

9/6/05

Warrant No.

PV 477557

Page 1 of 1

JA1736
SE ROA 1653

JUL 21 2005

APPLICATION FOR WATER NO. 72700

NOTICE IS HEREBY GIVEN, that on the 3rd day of May 2005 Intermountain Water Supply, Ltd. of Reno, Nevada made application to the State Engineer of Nevada for permission to change the point of diversion and place of use of 0.83 c.f.s.; a portion of water heretofore appropriated under Permit 64977. Water will be diverted from an underground source at a point located within the SE¼ SE¼ of Section 2, T24N, R19E MDM or at a point from which the NE corner of said Section 2 bears N 15° 54' E a distance of 4475 feet (11 miles W of Sutcliffe). Water will be used for municipal and domestic purposes from January 1st to December 31st of each year.

The existing point of diversion is from an underground source located within the NW¼ NW¼ Section 11, T24N, R19E, MDB&M, or at a point from which the SE corner of Section 19, T24N, R20E, MDB&M bears S 44° 08' 53" E, a distance of 21,262 feet. Water was used for municipal and domestic purposes from January 1st to December 31st of each year.

Hugh Ricci, P.E.

State Engineer

Date of first publication _____

Date of last publication _____

HR/ag

JA1737
SE ROA 1654

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA

IN THE MATTER OF APPLICATION NUMBER 72700

FILED BY INTERMOUNTAIN WATER SUPPLY, LTD. PROTEST

ON MAY 03, 20 05, TO APPROPRIATE THE

WATERS OF UNDERGROUND



Comes now Washoe County

Printed or typed name of protestant

whose post office address is 4930 Energy Way, Reno, NV 89502-4106

Street No. or P.O. Box, City, State, and Zip Code

whose occupation is a political subdivision of the State of Nevada, and protests the granting

of Application Number 72700, filed on MAY 03, 20 05,

by INTERMOUNTAIN WATER SUPPLY, LTD. to appropriate the

waters of underground situated in Washoe

Underground or name of stream, lake, spring, or other source

County, State of Nevada, for the following reasons and on the following grounds, to wit:

Please refer to attached Exhibit "A".

THEREFORE the protestant requests that the application be Denied

Denied, issued subject to prior rights, etc., as the case may be

and that an order be entered for such relief as the State Engineer deems just and proper.

Signed


Agent of Protestant

Vahid Behmaram, Water Rights Manager

Printed or typed name, if agent

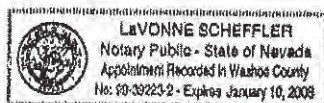
Address Washoe County Dept. of Water Resources

Street No. or P.O. Box No.

4930 Energy Way, Reno, NV 89502-4106

City, State, and Zip Code No.

Subscribed and sworn to before me this 12th day of SEPTEMBER, 20 05.



State of


Notary Public
Nevada

County of

Washoe

\$25 FILING FEE MUST ACCOMPANY PROTEST. PROTEST MUST BE FILED IN DUPLICATE.
ALL COPIES MUST CONTAIN ORIGINAL SIGNATURE.

JA1738
SE ROA 1655

Exhibit "A"
Application 72700

The above referenced application proposes to change the point of diversion and place of use of a portion of permit 64977. State Engineer has previously granted permits 64977, 64978, and 66400 with a total approximate combined duty of 3000 acre-feet. Application 66961 with a duty of 2000 acre-feet is pending.

Washoe County has filed informal protests against permits 64977, 64978 & 66400; and formal protests against application 66961 and change applications 69663, 69664 and 69665.

Washoe County's protests and objection to these filings is not against any one particular application, rather against all the filings, which collectively seek 5,000 acre-feet of water from Dry Valley hydrographic basin. Previous and ongoing studies suggest that such quantities of water may not be available for appropriation.

Washoe County agrees that some quantity of water is available for appropriation, which based on previous USGS estimates is in the order of 1000 acre-feet annually, which is greater than the 600 acre-feet sought by application 72700. However, so long as the previous appropriations (3000 acre-feet) are not amended down to a sustainable level and pending application 66961 is not denied, Washoe County has no choice but to protest any and all applications within this hydrographic basin.

State of Nevada - Division of Water Resources

901 S. Stewart Street
2nd Floor
Carson City, NV 89701

WASHOE COUNTY
PO BOX 11130
RENO NV 89520-0027

| Receipt | | Payment Method | Check No. | Receipt # |
|-------------|---------|--|-----------|-----------|
| Date | Item | Description | Amount | |
| 9/12/2005 | Protest | FILING PROTEST UNDER APPLICATION NO. 72700 APPLICANT: INTERMOUNTAIN WATER SUPPLY LTD PROTESTANT: WASHOE COUNTY | 25.00 | |
| Gloria Lash | | | Total | \$25.00 |

JA1740
SE ROA 1657

IN THE SUPREME COURT OF THE STATE OF NEVADA

Case No. 73933

Electronically Filed
Feb 08 2018 04:54 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

SIERRA PACIFIC INDUSTRIES, a California Corporation,

Appellant,

v.

JASON KING, P.E., in his capacity as Nevada State Engineer; THE
DIVISION OF WATER RESOURCES, DEPARTMENT OF
CONSERVATION, an agency of the State of Nevada; and
INTERMOUNTAIN WATER SUPPLY, LTD., a Nevada Limited Liability
Company,

Respondents

Appeal From Order Denying Petition for Judicial Review
District Court Case No.: CV16-01378
Second Judicial District Court of Nevada

JOINT APPENDIX

VOLUME VII Part 2 of 2

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Debbie Leonard, Esq.

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Attorneys for Appellant

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RICHARD L. ELMORE CHTD.

Richard L. Elmore, Esq.

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relmore@rlepc.com

Attorneys for Respondent

Intermountain Water Supply

NV ATTORNEY GENERAL

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Carson City, NV 89701

775-684-1225 (phone)

775-684-1108 (fax)

mfairbank@ag.nv.gov

Attorneys for Respondent

NV State Engineer

CHRONOLOGICAL INDEX TO JOINT APPENDIX

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| 7/22/2016 | Order Granting Stipulation to Allow Intervention | I | JA0029 – JA0031 |
| 9/8/2016 | State Engineer's Summary of Record on Appeal: SE ROA 1 – SE ROA 748 | I – III | JA0032 – JA0790 |
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| | SE ROA 215-470 | II | JA0257 – JA0512 |
| | SE ROA 417-748 | III | JA0513- JA0790 |
| 10/5/2016 | State Engineer's Supplemental Summary of Record on Appeal: SE ROA 749 – SE ROA 2405 | IV – X | JA0791 – JA2490 |
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| | SE ROA 966-1220 | V | JA1047 – JA1302 |
| | SE ROA 1221-1471 | VI | JA1303 – JA1554 |
| | SE ROA 1472-1723 | VII | JA1555 – JA1806 |
| | SE ROA 1724-1974 | VIII | JA1807 – JA2058 |
| | SE ROA 1975-2225 | IX | JA2059 – JA2308 |
| | SE ROA 2226-2405 | X | JA2309 – JA2490 |

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| 11/28/2016 | Respondent State Engineer's Answering Brief | XI | JA2562 – JA2583 |
| 12/30/2016 | Petitioner's Sierra Pacific Industries' Reply Brief | XI | JA2584 – JA2603 |
| 12/30/2016 | Exhibits 1-9: SROA 2406 – SROA 2475, to Petitioner Sierra Pacific Industries Motion to Supplement the Record, or in the Alternative, for Judicial Notice. | XI | JA2604 – JA2686 |
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| 8/22/2017 | Notice of Entry of Order Denying Petition for Judicial Review (Order not recopied) | XI | JA2760 – JA2764 |
| 9/8/2017 | Notice of Appeal with Clerk's Certificate (Notice of Entry & Order not recopied) | XI | JA2765 – JA2769 |

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| Notice of Filing Petition for Judicial Review (NRS 533.450) with 6/29/2016 filed Petition for Judicial Review and Exhibits | 6/29/2016 | I | JA0001 – JA0028 |
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| Petition for Judicial Review Oral Arguments Transcript | 5/24/2017 | XI | JA2693 – JA2750 |
| Petitioner’s Sierra Pacific Industries’ Opening Brief | 10/7/2016 | X | JA2491 – JA2517 |
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| <u>DESCRIPTION OF DOCUMENT</u> | <u>DATE</u> | <u>VOLUME</u> | <u>PAGE(S)</u> |
|---|--------------------|----------------------|-----------------------|
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| SE ROA 215-470 | | II | JA0257 – JA0512 |
| SE ROA 417-748 | | III | JA0513- JA0790 |
| State Engineer's Supplemental Summary of Record on Appeal: SE ROA 749 – SE ROA 2405 | 10/5/2016 | IV – X | JA0791 – JA2490 |
| SE ROA 749-965 | | IV | JA0830 – JA1046 |
| SE ROA 966-1220 | | V | JA1047 – JA1302 |
| SE ROA 1221-1471 | | VI | JA1303 – JA1554 |
| SE ROA 1472-1723 | | VII | JA1555 – JA1806 |
| SE ROA 1724-1974 | | VIII | JA1807 – JA2058 |
| SE ROA 1975-2225 | | IX | JA2059 – JA2310 |
| SE ROA 2226-2405 | | X | JA2311 – JA2490 |

IN THE SUPREME COURT OF THE STATE OF NEVADA

AFFIRMATION

Pursuant to NRS 239B.030, the undersigned does hereby affirm that **JOINT APPENDIX VOLUME VII** does not contain the social security number of any person.

DATED this 8th Day of February, 2018.

MCDONALD CARANO LLP

BY: /s/ Debbie Leonard
Debbie A. Leonard, Esq.
Nevada Bar No. 8260
100 West Liberty Street, 10th Floor
Reno, Nevada 89501
Tel.: (775) 788-2000
Fax: (775) 788-2020
dleonard@mcdonaldcarano.com

Attorneys for Appellant

CERTIFICATE OF SERVICE

Pursuant to NRCP 5(b), I hereby certify that I am an employee of McDonald Carano, LLP and that on February 8, 2018, **JOINT APPENDIX VOLUME VII** was electronically filed with the Clerk of the Court for the Nevada Supreme Court by using the Nevada Supreme Court's E-Filing system (E-Flex). Pursuant to NRAP 30(f)(2), all Participants in the case will be served and provided an electronic copy via U.S. mail as follows:

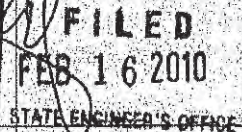
Richard L. Elmore, Esq.
3301 S. Virginia Street, Suite 125
Reno, Nevada 89502

Office of the Nevada Attorney General
Micheline N. Fairbank, Esq.
100 North Carson Street
Carson City, NV 89701

/s/ Pamela Miller
An employee of McDonald Carano, LLP

BEFORE THE STATE ENGINEER OF THE STATE OF NEVADA

APPLICATION FOR EXTENSION OF TIME

Owner, of Record Intermountain Water Supply, Ltd.IN THE MATTER OF PERMIT NO. 67037 FILED TO APPROPRIATE/CHANGE THE WATERS OF
Underground

(Name of stream, lake, spring, underground or other source)

THIS APPLICATION IS RESPECTFULLY SUBMITTED.

Comes now Robert W. Marshall

the

Agent

Permittee or Agent

who after being duly sworn and answering to the best of their knowledge the following questions in compliance with the requirements as set forth in the permit terms:

1. Does this permit have multiple owners? ☐ Yes ☒ No (Check the appropriate box)
2. If "Yes" on question 1 is checked, is this request for an extension of time submitted on behalf of all the owners?
☐ Yes ☐ No (Check the appropriate box)
3. If "No" on question 2 is checked, on whose behalf is this extension being filed?

4. How much time is needed to construct the works of diversion or place the water to beneficial use? 4 - 5 Years5. What is the expenditure on the project under this permit? Last year? \$16,407.38 Total to date? \$2,506,400.00±6. The permittee requests an extension of time for 1 year within which to comply with the provisions for filing the
(Not to exceed 1 year)

Proof of Completion and Proof of Beneficial Use.

(Proof of completion of work and/or Proof of beneficial use)

7. Describe progress made during the last year and explain in detail why this request for an extension of time is being submitted (See instructions on back. Use additional pages if necessary):

Worked with Washoe County staff on water availability, conducted continual monitoring, worked with hydrologists addressed legal issues. Economic conditions have continued to deteriorate eliminating all current demand for water in the North Valleys.

Subscribed and sworn to before me this 16th day ofFeb, 20 10Dana Rael

Signature of Notary Public Required

Notary Public in and for the County of Carson CityState of NVMy commission expires June 15, 2012Signed Robert W. Marshall agent

Permittee or Agent

Address 625 Onyo Way

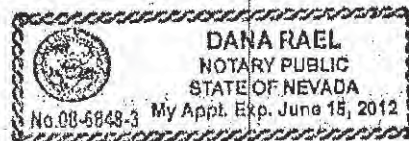
Street Address or PO Box

Sparks, NV 89441

City, State, ZIP Code

Phone 775-425-1161

E-mail _____



Notary Stamp or Seal Required

\$100 FILING FEE MUST ACCOMPANY THIS APPLICATION FOR EXTENSION OF TIME
A SEPARATE APPLICATION MUST BE FILED FOR EACH PERMIT

Revised 07/09 - ext of time

JA1682
SE ROA 1599

State of Nevada - Division of Water Resources

901 S. Stewart Street
2nd Floor
Carson City, NV 89701

INTERMOUNTAIN WATER SUPPLY LTD
625 ONYO WAY
SPANISH SPRINGS NV 89441

Receipt

| Payment Method | | Check No. | Receipt # |
|----------------|--|-----------|-----------|
| Check | | 1426 | 243512 |

| Date | Item | Description | Amount |
|--|-------------------|---|----------|
| 2/16/2010 | Extension of Time | APPLICATION FOR EXTENSION OF TIME UNDER PERMIT NO 67037 | 100.00 |
| <div>EFFECTIVE JULY 01, 2009, FEES WILL INCREASE, PLEASE VISIT THE DIVISION'S WEBSITE AT water.nv.gov FOR A LIST OF THE NEW FEE SCHEDULE</div> | | | |
| Received by: Sue Cox <i>Sc</i> | | Total | \$100.00 |

JA1683
SE ROA 1600

JIM GIBBONS
Governor

STATE OF NEVADA



ALLEN BIAGGI
Director

TRACY TAYLOR, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

February 24, 2010

Intermountain Water Supply, Ltd.
c/o R.W. Marshall, Manager
175 Stags Leap Circle
Sparks, Nevada 89436

RE: Permit 67037

This is to inform you that the Application for Extension of Time has been granted to February 7, 2011, with the provision that no further extensions will be granted for filing of the Proof of Completion and Proof of Beneficial Use except for good cause shown as provided under NRS 533.390 and 533.410.

Please be advised that the permittee is responsible for notifying the State Engineer's Office of any address change. Furthermore, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record, and not to earlier addresses unless proper written notification from the applicant or agent directs otherwise.

Should you have any questions regarding this notification please contact Sam E. Monteleone at (775) 684-2800.

Sincerely,

A handwritten signature in cursive script that reads "Erica Fagan".

Erica Fagan
Administrative Assistant

cc: Robert W. Marshall, (different address)

STATE OF NEVADA



DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002
Carson City, Nevada 89701-5250
(775) 684-2800 • Fax (775) 684-2811
(800) 992-0900
(In Nevada Only)
<http://water.nv.gov>

FINAL NOTICE

February 9, 2011

FINAL NOTICE

Robert W. Marshall
Intermountain Water Supply
625 Onyo Way
Sparks, NV 89441
Certified Mail No. 71067808063000454971

Re: Final Notice for Permit 67037

The provisions of your above referenced permit to appropriate waters of the State of Nevada require you to file a **Proof of Completion of Work & Proof of Beneficial Use** on or before **February 7, 2011**.

Our records indicate that you have not filed the required proof(s) and your permit is in danger of cancellation unless the proof(s) or an application for an extension of time along with the appropriate filing fee(s) with which to file the required proof(s) is/are received and filed with the State Engineer within thirty (30) days of the date of this final certified notice.

Per NRS 533.410, if the required proof or extension of time is not received within thirty (30) days after the mailing of this notice, your permit will be cancelled.

Please be advised that the permittee is responsible for notifying the State Engineer's Office of any address change. Furthermore, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record and not to earlier addresses unless proper written notification from the applicant or agent directs otherwise.

If there are any questions regarding this notice please contact our office at (775) 684-2800.

dr

Schedule of Fees:

Fee for filing Proof of Completion - \$50
Fee for filing Proof of Beneficial Use - \$50
Fee for filing Request for Extension of Time - \$100

JA1685
SE ROA 1602

2. Article Number

7106 7808 0630 0045 4971

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Robert W. Marshall☐ Agent☒ Addressee

B. Received by (Printed Name)

Robert W. Marshall

C. Date of Delivery

2/16/11

1. Article Addressed to:

Robert W. Marshall
Intermountain Water Supply
625 Onyo Way
Sparks, NV 89441

2/8/2011 9:46 AM

D. Is delivery address different from item 1? ☐ Yes
If YES enter delivery address below:☐ No

3. Service Type



Certified

4. Restricted Delivery? (Extra Fee)



Yes

Code2: Water Resources
File: FN 67037 dr

PS Form 3811

Domestic Return Receipt

JA1686
SE ROA 1603

BEFORE THE STATE ENGINEER OF THE STATE OF NEVADA

APPLICATION FOR EXTENSION OF TIME

Owner of Record Intermountain Water Supply, Ltd.**FILED**

FEB 25 2011

IN THE MATTER OF PERMIT NO. 67037 FILED TO APPROPRIATE/CHANGE THE STATE ENGINEER'S OFFICE

Underground

(Name of stream, lake, spring, underground or other source)

THIS APPLICATION IS RESPECTFULLY SUBMITTED.

Comes now Robert W. Marshall

, the

Agent

Permitted or Agent

who after being duly sworn and answering to the best of their knowledge the following questions in compliance with the requirements as set forth in the permit terms:

1. Does this permit have multiple owners? ☐ Yes ☒ No (Check the appropriate box)
2. If "Yes" on question 1 is checked, is this request for an extension of time submitted on behalf of all the owners?
☐ Yes ☐ No (Check the appropriate box)
3. If "No" on question 2 is checked, on whose behalf is this extension being filed?

4. How much time is needed to construct the works of diversion or place the water to beneficial use? Ten (10) years
5. What is the expenditure on the project under this permit? Last year? \$2,663.00 Total to date? \$2,514,880 ±
6. The permittee requests an extension of time for 1 year within which to comply with the provisions for filing the
 (Not to exceed 1 year)

Proof of Completion and Proof of Beneficial Use

(Proof of completion of work and/or Proof of beneficial use)

7. Describe progress made during the last year and explain in detail why this request for an extension of time is being submitted (See instructions on back. Use additional pages if necessary):

Worked with potential water buyer on due diligence; conducted continual monitoring, worked with hydrologists, addressed legal issues. Economic conditions have continued to deteriorate eliminating all current demand for water in the North Valleys.

Signed

Robert W. Marshall

Permittee or Agent

Subscribed and sworn to before me this 25 day ofFebruary, 2011Joy G. Elwood

Signature of Notary Public Required

Notary Public in and for the County of CarsonState of NevadaMy commission expires July 29, 2013Address 625 Onyo Way

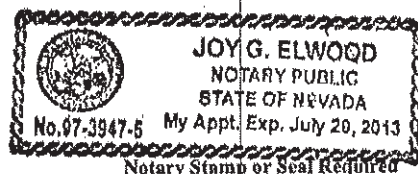
Street/Address or PO Box

Sparks, NV 89441

City, State, ZIP Code

Phone 775-425-1161

E-mail



1 up
poe
poe
3/2/2011
Sean

\$100 FILING FEE MUST ACCOMPANY THIS APPLICATION FOR EXTENSION OF TIME

A SEPARATE APPLICATION MUST BE FILED FOR EACH PERMIT

Revised 07/09 - ext of time

JA1687
SE ROA 1604

State of Nevada - Division of Water Resources

901 S. Stewart Street
2nd Floor
Carson City, NV 89701

INTERMOUNTAIN WATER SUPPLY LTD
625 ONYO WAY
SPANISH SPRINGS NV 89441

Receipt

| | | Payment Method | Check No. | Receipt # |
|----------------------|-------------------|--|-----------|-----------|
| | | Check | 1437 | 256090 |
| Date | Item | Description | Amount | |
| 2/25/2011 | Extension of Time | APPLICATION FOR EXTENSION OF TIME UNDER PERMIT NO 67037 COVERS EXT NO'S 64977, 64978, 66400, 67037, 73428, 73429, 73430 AND 74327 | 100.00 | |
| Received by: Sue Cox | | | Total | \$100.00 |

JA1688
SE ROA 1605

Brian Sandoval
Governor

STATE OF NEVADA



LEO DROZDOFF
Director

JASON KING, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002
Carson City, Nevada 89701-5250
(775) 684-2800 • Fax (775) 684-2811
<http://water.nv.gov>

March 10, 2011

Intermountain Water Supply, Ltd
625 Onyo Way
Sparks, NV 89441

RE: PERMITS 67037

This is to inform you that the Application for Extension of Time has been granted to February 07, 2012, with the provision that no further extensions will be granted for filing of the Proof of Completion and Proof of Beneficial Use except for good cause shown as provided under NRS 533.380, 533.390 and 533.410.

Please be advised that the permittee is responsible for notifying the State Engineer's Office of any address change. Furthermore, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record and not to earlier addresses unless proper written notification from the applicant or agent directs otherwise.

Should you have any questions regarding this notification please contact me at (775) 684-2835 or smonteleone@water.nv.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sam Monteleone".

Sam Monteleone
Staff / Associate Engineer

SEM/ml
c: TEC Civil Engineering
Turnipseed Engineering

STATE OF NEVADA



DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002
Carson City, Nevada 89701-5250
(775) 684-2800 • Fax (775) 684-2811
(800) 992-0900
(In Nevada Only)
<http://water.nv.gov>

FINAL NOTICE

February 9, 2012

FINAL NOTICE

Intermountain Water Supply
Robert W. Marshall
625 Onyo Way
Sparks, NV 89441
Certified Mail No. 71067808063000488914

Re: Final Notice for Permit 67037

The provisions of your above referenced permit to appropriate waters of the State of Nevada require you to file a **Proof of Completion and Proof of Beneficial Use on or before February 7, 2012.**

Our records indicate that you have not filed the required proof(s) and your permit is in danger of cancellation unless the proof(s) or an application for an extension of time along with the appropriate filing fee(s) with which to file the required proof(s) is/are received and filed with the State Engineer within thirty (30) days of the date of this final certified notice.

Per NRS 533.410, if the required proof or extension of time is not received within thirty (30) days after the mailing of this notice, your permit will be cancelled.

Please be advised that the permittee is responsible for notifying the State Engineer's Office of any address change. Furthermore, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record and not to earlier addresses unless proper written notification from the applicant or agent directs otherwise.

If there are any questions regarding this notice please contact our office at (775) 684-2800.

sm

Schedule of Fees:

Fee for filing Proof of Completion - \$50
Fee for filing Proof of Beneficial Use - \$50
Fee for filing Request for Extension of Time - \$100

JA1690
SE ROA 1607

2. Article Number



7106 7806 0630 0046 8914

COMPLETE THIS SECTION ON DELIVERY

A. Signature

Robert W. Marshall☐ Agent
☒ Addressee

B. Received by (Printed Name)

Robert W. Marshall

C. Date of Delivery

2-16-12

1. Article Addressed to:

Intermountain Water Supply
Robert W. Marshall
625 Onyo Way
Sparks, NV 89441

2/8/2012 9:06 AM

D. Is delivery address different from item 1? ☐ Yes
If YES enter delivery address below: ☐ No

3. Service Type

☒ Certified

4. Restricted Delivery? (Extra Fee)

☐ Yes

Code2:

File: 67037 fn/sm

PS Form 3811

Domestic Return Receipt

JA1691
SE ROA 1608

BEFORE THE STATE ENGINEER OF THE STATE OF NEVADA

APPLICATION FOR EXTENSION OF TIME

FILED

FEB 21 2012

STATE ENGINEER'S OFFICE

Owner of Record Intermountain Water Supply, Ltd.IN THE MATTER OF PERMIT NO. 67037 FILED TO APPROPRIATE/CHANGE THE WATERS OF
Underground.

(Name of stream, lake, spring, underground or other source)

THIS APPLICATION IS RESPECTFULLY SUBMITTED.

Comes now Robert W. Marshall

, the

Agent

Permittee or Agent

who after being duly sworn and answering to the best of their knowledge the following questions in compliance with the requirements as set forth in the permit terms:

1. Does this permit have multiple owners? ☐ Yes ☒ No (Check the appropriate box)
2. If "Yes" on question 1 is checked, is this request for an extension of time submitted on behalf of all the owners?
☐ Yes ☐ No (Check the appropriate box)
3. If "No" on question 2 is checked, on whose behalf is this extension being filed?

4. How much time is needed to construct the works of diversion or place the water to beneficial use? Ten (10) years5. What is the expenditure on the project under this permit? Last year? \$6,005.00 Total to date? \$2,526,622.006. The permittee requests an extension of time for 1 year within which to comply with the provisions for filing the
(Not to exceed 1 year)

Proof of Completion and Proof of Beneficial Use

(Proof of completion of work and/or Proof of beneficial use)

7. Describe progress made during the last year and explain in detail why this request for an extension of time is being submitted (See instructions on back. Use additional pages if necessary):

Worked with potential water buyer on due diligence; conducted continual monitoring; worked with hydrologists; addressed legal and tax issues, performed maintenance work on test wells. Economic conditions have continued to deteriorate eliminating all current demand for water in the North Valleys.

Signed

Robert W. Marshall

Permittee or Agent

Subscribed and sworn to before me this 21 day ofFeb, 20 12Susan Cox

Signature of Notary Public Required

Notary Public in and for the County of Carson CityState of NevadaMy commission expires 4-14-13Address 625 Onyo Way

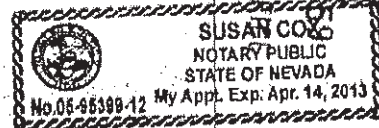
Street Address or P.O. Box

Sparks, NV 89441

City, State, ZIP Code

Phone 775-425-1161

E-mail



Notary Stamp or Seal Required

\$100 FILING FEE MUST ACCOMPANY THIS APPLICATION FOR EXTENSION OF TIME
A SEPARATE APPLICATION MUST BE FILED FOR EACH PERMIT

Revised 07/09 - ext of time

JA1692
SE ROA 1609

RECEIVED
 20 FEB 21 AM 11:05
 STATE ENGINEER'S OFFICE

14
 POW
 2/23/2012
 Jan

State of Nevada - Division of Water Resources

901 S. Stewart Street
2nd Floor
Carson City, NV 89701

ROBERT MARSHALL
625 ONYO WAY
SPARKS NV 89441

Receipt

| | | Payment Method | Check No. | Receipt # |
|----------------------|-------------------|--|-----------|-----------|
| | | Check | 10506 | 266348 |
| Date | Item | Description | | Amount |
| 2/21/2012 | Extension of Time | APPLICATION FOR EXTENSION OF TIME UNDER PERMIT NO 67037 COVERS EXT NO'S 64977, 64978, 66400, 67037, 73428, 73429, 73430 AND 74327 | | 100.00 |
| Received by: Sue Cox | | | Total | \$100.00 |

JA1693
SE ROA 1610

Brian Sandoval
Governor

STATE OF NEVADA



LEO DROZDOFF
Director

JASON KING, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

February 27, 2012

Intermountain Water Supply
Robert W. Marshall
625 Onyo Way
Sparks, NV 89441

RE: PERMIT 67037

This is to inform you that the Application for Extension of Time has been granted to February 7, 2013 with the provision that no further extensions will be granted for filing of the Proof of Completion and Proof of Beneficial Use except for good cause shown as provided under NRS 533.380, 533.390 and 533.410.

Please be advised that the permittee is responsible for notifying the State Engineer's Office of any address change. Furthermore, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record and not to earlier addresses unless proper written notification from the applicant or agent directs otherwise.

Should you have any questions regarding this notification please contact me at (775) 684-2835 or smonteleone@water.nv.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sam Monteleone".

Sam Monteleone
Water Resource Specialist 1

SEM/mt

STATE OF NEVADA



LEO BROZDOWSKI
Director
JASON KING, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

(800) 992-0900

(In Nevada Only)

<http://water.nv.gov>

FINAL NOTICE

February 11, 2013

FINAL NOTICE

Intermountain Water Supply

Robert W. Marshall

625 Onyo Way

Sparks, NV 89441

Certified Mail No. 71067808063000518857

Re: Final Notice for Permit 67037

The provisions of your above referenced permit to appropriate waters of the State of Nevada require you to file a **Proof of Completion and Proof of Beneficial Use on or before February 7, 2013.**

Our records indicate that you have not filed the required proof(s) and your permit is in danger of cancellation unless the proof(s) or an application for an extension of time along with the appropriate filing fee(s) with which to file the required proof(s) is/are received and filed with the State Engineer within thirty (30) days of the date of this final certified notice.

Per NRS 533.410, if the required proof or extension of time is not received within thirty (30) days after the mailing of this notice, your permit will be cancelled.

Please be advised that the permittee is responsible for notifying the State Engineer's Office of any address change. Furthermore, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record and not to earlier addresses unless proper written notification from the applicant or agent directs otherwise.

If there are any questions regarding this notice please contact our office at (775) 684-2800.

SW

Schedule of Fees:

Fee for filing Proof of Completion - \$50

Fee for filing Proof of Beneficial Use - \$50

Fee for filing Request for Extension of Time - \$100

JA1695
SE ROA 1612

4171
STATE OF NEVADA
DIVISION OF WATER RESOURCES
901 S. Stewart Street, Suite 2002
Carson City, Nevada 89701

Return Service Requested

RECEIVED
2013 MAR -5 AM 11:14
STATE ENGINEERS OFFICE

CERTIFIED MAIL™



7106 7808 0630 0051 8857

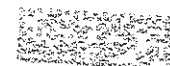
Intermountain Water Supply
Robert W. Marshall
625 Onyo Way
Sparks, NV 89441

66
2/12

Master
03/11/2013

FIRST-CLASS MAIL

\$06.13



ZIP 89701
011012603121

NITXF

895 OF 1

00 03/03/13

RETURN TO SENDER
UNCLAIMED

UNABLE TO FORWARD

Return Receipt Requested

894418944189441

BC: 89701525002

*0941-05138-11-42



SE ROA 1613

JA1696

BEFORE THE STATE ENGINEER OF THE STATE OF NEVADA

APPLICATION FOR EXTENSION OF TIME

Owner of Record Intermountain Water Supply, Ltd.IN THE MATTER OF PERMIT NO. 67037 FILED TO APPROPRIATE/CHANGE THE WATERS OFUnderground

(Name of stream, lake, spring, underground or other source)

THIS APPLICATION IS RESPECTFULLY SUBMITTED.

Comes now Robert W. Marshall

, the

Agent

Permittee or Agent

who after being duly sworn and answering to the best of their knowledge the following questions in compliance with the requirements as set forth in the permit terms:

1. Does this permit have multiple owners? ☐ Yes ☒ No (Check the appropriate box)
2. If "Yes" on question 1 is checked, is this request for an extension of time submitted on behalf of all the owners? ☐ Yes ☐ No (Check the appropriate box)
3. If "No" on question 2 is checked, on whose behalf is this extension being filed?

4. How much time is needed to construct the works of diversion or place the water to beneficial use? Ten (10) years5. What is the expenditure on the project under this permit? Last year? \$8,153.50 Total to date? \$2,534,775.006. The permittee requests an extension of time for 1 year within which to comply with the provisions for filing the (Not to exceed 1 year)

Proof of Completion and Proof of Beneficial Use

(Proof of completion of work and/or Proof of beneficial use)

7. Describe progress made during the last year and explain in detail why this request for an extension of time is being submitted (See instructions on back. Use additional pages if necessary):

The economy has not improved at all this past year. There is no growth occurring in this area. We have continued maintenance of the Project. We had to oppose a PUCN staff effort to nullify a favorable PUCN order on our URPA application. After briefing and oral argument, we were successful. We have continued monitoring activities with Interflow Hydrology with continuous flow recording meters. We have drastically reduced the price of the Project and have been actively working with two interested buyer-user groups, one local group and one group located in Southern California. The outcome of the election does not bode well for the economy.

State of Nevada

County of WashoeSubscribed and sworn to before me on February 19, 2013by Robert W. MarshallSigned Robert W. Marshall

Permittee or Agent

Address 625 Onyo Way

Street Address or P.O. Box

Sparks, NV 89441

City, State, ZIP Code

Phone 775-425-1161

E-mail

Signature of Notary Public Required



Notary Stamp or Seal Required

\$100 FILING FEE MUST ACCOMPANY THIS APPLICATION FOR EXTENSION OF TIME
A SEPARATE APPLICATION MUST BE FILED FOR EACH PERMIT

Revised 05/12 - ext of time

JA1697
SE ROA 1614

State of Nevada - Division of Water Resources

901 S. Stewart Street
2nd Floor
Carson City, NV 89701

INTERMOUNTAIN WATER SUPPLY LTD
625 ONYO WAY
SPANISH SPRINGS NV 89441

Receipt

| | | Payment Method | Check No. | Receipt # |
|----------------------|-------------------|--|-----------|-----------|
| | | Check | 1457 | 275708 |
| Date | Item | Description | Amount | |
| 2/19/2013 | Extension of Time | APPLICATION FOR EXTENSION OF TIME UNDER PERMIT NO 67037 COVERS EXT NO'S 64977, 64978, 66400, 67037, 73428, 73429, 73430 AND 74327 | 100.00 | |
| Received by: Sue Cox | | | Total | \$100.00 |

JA1698
SE ROA 1615

Brian Sandoval
Governor

STATE OF NEVADA



LEO DROZDOFF
Director

JASON KING, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002
Carson City, Nevada 89701-5250
(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

March 1, 2013

Intermountain Water Supply
Robert W. Marshall
625 Onyo Way
Sparks, NV 89441

RE: PERMIT 67037

This is to inform you that the Application for Extension of Time has been granted to February 07, 2014 with the provision that no further extensions will be granted for filing of the Proof of Completion and Proof of Beneficial Use except for good cause shown as provided under NRS 533.380, 533.390 and 533.410.

Please be advised that the permittee is responsible for notifying the State Engineer's Office of any address change. Furthermore, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record and not to earlier addresses unless proper written notification from the applicant or agent directs otherwise.

Should you have any questions regarding this notification please contact me at (775) 684-2842 or smcdaniel.water.nv.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Shannon McDaniel".

Shannon McDaniel
Water Resource Specialist 1

SM/mt

State of Nevada Division of Water Resources
Request for Notice and Change of Address

In regards to permit number 67037 : (Check applicable item)

- ☐ Please add my name to the mailing list and send copies of all correspondence to the address below:
(Fill in NEW ADDRESS information only.)
- ☐ Please change the address for copies to be sent as indicated below:
(Fill in NEW ADDRESS and OLD ADDRESS information.)
- ☒ I am the permit holder. Please change my address as indicated below:
(Fill in NEW ADDRESS and OLD ADDRESS information.)

NEW ADDRESS

NAME: Intermountain Water Supply, Ltd.
ADDRESS: 625 Onyo Way
CITY, STATE, ZIP: Sparks, NV, 89441
TELEPHONE: 775-425-1161

OLD ADDRESS

NAME: Intermountain Water Supply, Ltd.
ADDRESS: 175 Stags Leap Circle
CITY, STATE, ZIP: Sparks, NV 89436
TELEPHONE: _____

I am the:

- ☐ Individual named above. (Complete signature below only.)
- ☒ Agent or representative. (Complete the signature, name and address below.)

This form accurately reflects the mailing address for the permit holder or other individual identified above.

SIGNATURE: Robert W Marshall (Manager)
NAME: Robert W Marshall
ADDRESS: 625 Onyo Way
CITY, STATE, ZIP: Sparks, NV, 89441

Mail form to:

NV Division of Water Resources, 901 S. Stewart Street, Suite 2002, Carson City, NV 89701

RECEIVED
2013 JUL -9 AM 10:39
STATE ENGINEERS OFFICE
JA1700
SE ROA 1617

BRIAN SANDOVAL
Governor

STATE OF NEVADA



LEO DROZDOFF
Director
JASON KING, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002
Carson City, Nevada 89701-5250
(775) 684-2800 • Fax (775) 684-2811
(800) 992-0900
(In Nevada Only)
<http://water.nv.gov>

FINAL NOTICE

February 12, 2014

FINAL NOTICE

Intermountain Water Supply
Robert W. Marshall
625 Onyo Way
Sparks, NV 89441
Certified Mail No. 71067808063000551885

Re: Final Notice for Permit 67037

The provisions of your above referenced permit to appropriate waters of the State of Nevada require you to file a **Proof of Completion and Proof of Beneficial Use** on or before **February 7, 2014**.

Our records indicate that you have not filed the required proof(s) and your permit is in danger of cancellation unless the proof(s) or an application for an extension of time along with the appropriate filing fee(s) with which to file the required proof(s) is/are received and filed with the State Engineer within thirty (30) days of the date of this final certified notice.

Per NRS 533.390 and/or 533.410, if the required proof or extension of time is not received within thirty (30) days after the mailing of this notice, your permit will be cancelled.

Please be advised that the permittee is responsible for notifying the State Engineer's Office of any address change. Furthermore, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record and not to earlier addresses unless proper written notification from the applicant or agent directs otherwise.

If there are any questions regarding this notice please contact our office at (775) 684-2800.

jw
cc:

Schedule of Fees:
Fee for filing Proof of Completion - \$60
Fee for filing Proof of Beneficial Use - \$60
Fee for filing Request for Extension of Time - \$120

JA1701
SE ROA 1618

2. Article Number

7106 7808 0630 0055 1A85

1. Article Addressed to:

Batch #:
83532

Intermountain Water Supply
Robert W. Marshall
625 Onyo Way
Sparks, NV 89441

2/11/2014 12:43 PM



COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Robert W. Marshall*

☐ Agent

☐ Addressee

B. Received by (Printed Name):

Robert W. Marshall

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes

If YES enter delivery address below:

☐ No

3. Service Type



Certified

4. Restricted Delivery? (Extra Fee)



Yes

Code2:

File: 67037 fm/jw

PS Form 3811

Domestic Return Receipt

JA1702
SE ROA 1619

BEFORE THE STATE ENGINEER OF THE STATE OF NEVADA

APPLICATION FOR EXTENSION OF TIME

Owner of Record Intermountain Water Supply, Ltd.

FILED

FEB 19 2014

STATE ENGINEER'S OFFICE

IN THE MATTER OF PERMIT NO. 67037 FILED TO APPROPRIATE/CHANGE THE WATERS OF

underground

(Name of stream, lake, spring, underground or other source)

THIS APPLICATION IS RESPECTFULLY SUBMITTED.

Comes now Robert W. Marshall

, the

Agent

Permittee or Agent

who after being duly sworn and answering to the best of their knowledge the following questions in compliance with the requirements as set forth in the permit terms:

1. Does this permit have multiple owners? ☐ Yes ☒ No (Check the appropriate box)
2. If "Yes" on question 1 is checked, is this request for an extension of time submitted on behalf of all the owners?
☐ Yes ☐ No (Check the appropriate box)
3. If "No" on question 2 is checked, on whose behalf is this extension being filed?

4. How much time is needed to construct the works of diversion or place the water to beneficial use? Ten (10) years

5. What is the expenditure on the project under this permit? Last year? \$17,034.00 Total to date? \$2,550,649.00

6. The permittee requests an extension of time for 1 year within which to comply with the provisions for filing the
(Not to exceed 1 year)

proof of completion and proof of beneficial use

(Proof of completion of work and/or Proof of beneficial use)

7. Describe progress made during the last year and explain in detail why this request for an extension of time is being submitted (See instructions on back. Use additional pages if necessary):

The economy has not improved at all this past year. There is no growth occurring in the area of beneficial use. We have continued maintenance of the project. We have continued monitoring activities with Interflow Hydrology with continuous flow recording meters. We have drastically reduced the price of the Project and have been actively working with a public agency to purchase the project.

State of Nevada

County of Washoe

Subscribed and sworn to before me on February 18, 2014

by Robert W. Marshall

Signed

Permittee or Agent

Address 625 Onyo Way

Street Address or PO Box

Sparks, NV 89411

City, State, ZIP Code

Phone (775) 425-1161

E-mail



Notary Stamp or Seal Required

\$120 FILING FEE MUST ACCOMPANY THIS APPLICATION FOR EXTENSION OF TIME
A SEPARATE APPLICATION MUST BE FILED FOR EACH PERMIT

Revised 07/13 - ext_app

JA1703
SE ROA 1620

State of Nevada - Division of Water Resources

901 S. Stewart Street
2nd Floor
Carson City, NV 89701

INTERMOUNTAIN WATER SUPPLY LTD
625 ONYO WAY
SPARKS NV 89441

Receipt

| | | Payment Method | Check No. | Receipt # |
|--------------------------------|-------------------|---|--------------|-----------|
| | | Check | 1483 | 286434 |
| Date | Item | Description | | Amount |
| 2/19/2014 | Extension of Time | APPLICATION FOR EXTENSION OF TIME UNDER PERMIT NO. 67037 COVERS EXT NO'S 64977, 64978, 66400, 67037, 73428, 73429, 73430 AND 74327 | | 120.00 |
| Received By: Catherine Orpilla | | | Total | \$120.00 |

JA1704
SE ROA 1621

BRIAN SANDOVAL
Governor

STATE OF NEVADA



LEO DROZDOFF
Director

JASON KING, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002
Carson City, Nevada 89701-5250
(775) 684-2800 • Fax (775) 684-2811
<http://water.nv.gov>

March 14, 2014

Intermountain Water Supply
Robert W. Marshall
625 Onyo Way
Sparks, NV 89441

RE: Permit 67037

This is to inform you that the Application for Extension of Time has been granted to February 07, 2015, with the provision that no further extensions will be granted for Proof of Completion and Proof of Beneficial Use except for good cause shown as provided under NRS 533.380, 533.390 and 533.410.

Please be advised that the permittee is responsible for notifying the State Engineer's Office of any address change. Furthermore, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record and not to earlier addresses unless proper written notification from the applicant or agent directs otherwise.

Should you have any questions regarding this notification please contact me at (775) 684-2842 or smcdaniel@water.nv.gov.

Sincerely,

A handwritten signature in cursive script, appearing to read "Shannon".

Shannon McDaniel
Water Resource Specialist I

SM/dl

JA1705
SE ROA 1622

BRIAN SANDOVAL
Governor

STATE OF NEVADA



LEO DROZDOFF
Director
JASON KING, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002
Carson City, Nevada 89701-5250
(775) 684-2800 • Fax (775) 684-2811

(800) 992-0900

(In Nevada Only)

<http://water.nv.gov>

FINAL NOTICE

February 11, 2015

FINAL NOTICE

Intermountain Water Supply
Robert W. Marshall
625 Onyo Way
Sparks, NV 89441
Certified Mail No. 71067808063000585804

Re: Final Notice for Permit 67037

The provisions of your above referenced permit to appropriate waters of the State of Nevada require you to file a **Proof of Completion and Proof of Beneficial Use on or before February 7, 2015.**

Our records indicate that you have not filed the required proof(s) and your permit is in danger of cancellation unless the proof(s) or an application for an extension of time along with the appropriate filing fee(s) with which to file the required proof(s) is/are received and filed with the State Engineer within thirty (30) days of the date of this final certified notice.

Per NRS 533.390 and/or 533.410, if the required proof or extension of time is not received within thirty (30) days after the mailing of this notice, your permit will be cancelled.

Please be advised that the permittee is responsible for notifying the State Engineer's Office of any address change. Furthermore, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record and not to earlier addresses unless proper written notification from the applicant or agent directs otherwise.

If there are any questions regarding this notice please contact our office at (775) 684-2800.

jw
cc:

Schedule of Fees:
Fee for filing Proof of Completion - \$60
Fee for filing Proof of Beneficial Use - \$60
Fee for filing Request for Extension of Time - \$120

JA1706
SE ROA 1623

Return Service Requested

Return Service Requested

STATE ENGINEERS OFFICE

CERTIFIED MAIL™



7106 7808 0630 0058 5804

Intermountain Water Supply
Robert W. Marshall
625 Onyo Way
Sparks, NV 89441

MIXED

895 DE 1959

5503/13/15

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

SC: 89701525002

* 0894-08435-11-45

Request

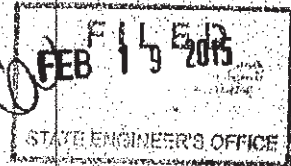
अ.प्र.सं. २००५

SE ROA 1624

JA1707

BEFORE THE STATE ENGINEER OF THE STATE OF NEVADA

APPLICATION FOR EXTENSION OF TIME



Owner of Record Intermountain Water Supply, Ltd.

IN THE MATTER OF PERMIT NO. 67037 FILED TO APPROPRIATE/CHANGE THE WATERS OF
underground

(Name of stream, lake, spring, underground or other source)

THIS APPLICATION IS RESPECTFULLY SUBMITTED,

Comes now Robert W. Marshall

, the

Agent

Permittee or Agent

who after being duly sworn and answering to the best of their knowledge the following questions in compliance with the requirements as set forth in the permit terms:

1. Does this permit have multiple owners? ☐ Yes ☒ No (Check the appropriate box)
2. If "Yes" on question 1 is checked, is this request for an extension of time submitted on behalf of all the owners?
☐ Yes ☐ No (Check the appropriate box)
3. If "No" on question 2 is checked, on whose behalf is this extension being filed?

4. How much time is needed to construct the works of diversion or place the water to beneficial use? Ten (10) years

5. What is the expenditure on the project under this permit? Last year? \$17,573.43 Total to date? \$2,568,222.43

6. The permittee requests an extension of time for 1 year within which to comply with the provisions for filing the
(Not to exceed 1 year)

proof of completion and proof of beneficial use

(Proof of completion of work and/or Proof of beneficial use)

7. Describe progress made during the last year and explain in detail why this request for an extension of time is being submitted (See instructions on back. Use additional pages if necessary):

The economy has not improved at all this past year. There is no growth occurring in the area of beneficial use. We have continued maintenance of the project by installing new caps on artesian flows to prevent waste. We have continued monitoring activities with Interflow Hydrology with continuous flow recording meters on the surface water. We have drastically reduced the price of the Project and have been actively working with potential investors to finance or purchase the project.

State of Nevada

County of Washoe

Subscribed and sworn to before me on February 19, 2015

by Robert W. Marshall

Signed

Permittee or Agent

Address 625 Onyo Way

Street Address of PO Box

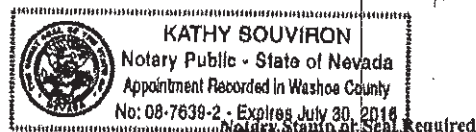
Sparks, NV 89411

City, State, ZIP Code

Phone (775) 425-1161

E-mail

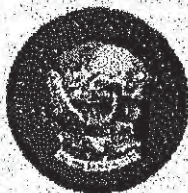
Kathy Souviron
Signature of Notary Public Required



**\$120 FILING FEE MUST ACCOMPANY THIS APPLICATION FOR EXTENSION OF TIME
A SEPARATE APPLICATION MUST BE FILED FOR EACH PERMIT**

Revised 07/13 - ext_app

JA1708
SE ROA 1625



**Division of Water Resources
Receipt for Payment**



Intermountain Water Supply Ltd
625 Onyo Way
Spanish Springs, NV 89441

Check #: 1502
Check Date: 2/19/2015
Date Received: 2/19/2015
Receipt #: 4,575

| FY | Amount | Permit # | Invoice # | Fee Type/Fee desc | Notes |
|------|----------|----------|-----------|-------------------|---|
| 2015 | \$120.00 | 67037 | | - Extensions | Covers Ext No's 64977, 64978, 66400, 67037, 73428, 73429, 73430 and 74327 |

Check Total: \$960.00

2/20/2015

21

JA1709
SE ROA 1626



InterMountain
Water Supply

625 Onyo Way
Spanish Springs, NV 89441

(775) 425-1161
(775) 425-1327 FX

marshall@intermountainwater.com

May 26, 2015

Kristen Geddes
Chief, Hearings Section
State of Nevada Division of Water Resources
901 S. Stewart St., Suite 2002
Carson City, NV 89701

Re: Extension of Time: Permit

Dear Ms. Geddes:

In my letter of March 12, 2015 with respect to the above permit. I enclosed statements from Parsons, Behle & Latimer law firm. To clarify, none of these statements included any of my time. These were bills I paid for time spent by firm personnel, other than me. Most of the time was billed by Rew Goodenow, a partner with the firm for appearances before the County Commission or for meetings with the District Attorneys' Office.

I have NEVER billed any of my time to this project during the 20+ years I have worked on it.

I trust this letter clarifies any questions that there may have been on this point.

Please place a copy of this letter in the file for each Intermountain Water Supply Ltd. Permit involved in the Project. The Permit numbers include Permits 64977, 64978, 66400, 72700, 73428, 73429, 73430, 74327, 66873, 73048, and 67037. I am enclosing copies for your convenience.

Sincerely,

INTERMOUNTAIN WATER SUPPLY

By:


Robert W. Marshall, Manager

RWM/ks
Enclosures
cc: Jason King, P.E.

4827-3643-6260

RECEIVED
2015 MAY 28 AM 11:12
STATE ENGINEERS OFFICE

JA1710
SE ROA 1627

BRIAN SANDOVAL
Governor

STATE OF NEVADA



LEO DROZDOFF
Director

JASON KING, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES

901 South Stewart Street, Suite 2002

Carson City, Nevada 89701-5250

(775) 684-2800 • Fax (775) 684-2811

<http://water.nv.gov>

June 15, 2015

Intermountain Water Supply
Robert W. Marshall
625 Onyo Way
Sparks, NV 89441

RE: Permit(s) 67037

This is to inform you that the Application for Extension of Time has been granted to February 7, 2016, with the provision that no further extensions will be granted for the filing of Proof of Completion and Proof of Beneficial Use except for good cause shown as provided under NRS 533.380, 533.390 and 533.410.

Please be advised that the permittee is responsible for notifying the State Engineer's Office of any address change. Furthermore, when multiple addresses are used by the applicant or agent, the required legal notices will be sent to the latest address of record and not to earlier addresses unless proper written notification from the applicant or agent directs otherwise.

Should you have any questions regarding this notification please contact me at (775) 684-2807.

Sincerely,

A handwritten signature in cursive script, appearing to read "Colette Easter".

Colette Easter
Water Resource Specialist I

CE/lr

JA1711
SE ROA 1628

No. **72700**Date Filed **MAY 03 2005**

| | | | |
|--|------------------|--|--|
| Indexed under | | Well Log | |
| Name of applicant | X | | |
| Map | Basin 7 - 95 | | |
| Stream | DRY VALLEY | B | |
| Township 24N | Range 10E | County WASHOE | |
| Point of diversion SE 1/4 SE 1/4 Section 42 | | | |
| Applicant INTERMOUNTAIN WATER SUPPLY, LTD. | | | |
| Source of Water UNDERGROUND | | | |
| Returned for correction MAY 16 2005 | | Abrogated by | |
| Corrected application received JUL 15 2005 | | | |
| Map filed July 15, 2005 (2 sheets) / May 28, 1999 ^{Existing 000000} _{under 64977 (2 sheets)} | | | |
| Sent for publication JUL 21 2005 | | MAR 05 2008 ^{REVALUED} | |
| Proof of publication filed AUG 16 2005 MAY 05 2008 | | | |
| Investigated on ground by | | | |
| Protested 9-12-05 by Washoe Co | | | |
| Pro. Overruled 10/21/08 See Ruling #5897 | | | |
| Ready for action SEP 12 2005 JUN 01 2008 | | | |
| Approved (December) 18, 2008 1.38 cfs Municipal | | | |
| Denied | | | |

| | PROOF OF COMMENCEMENT | PROOF OF COMPLETION | PROOF OF BENEFICIAL USE | CULTURAL MAP |
|---------------|-----------------------|---------------------|-------------------------|-----------------|
| Date due | | Dec 18, 2010 | Dec 18, 2013 | N/A |
| 1st extension | | HBS | 1544 | |
| 2nd extension | | | | |
| Date filed | | | | |
| | | | | Filed under map |

| CERTIFICATE NO. | ISSUED | AMOUNT |
|-----------------|--|---|
| Use | | |
| COMPUTER CHECK | File Entry <input checked="" type="checkbox"/> | Publication <input checked="" type="checkbox"/> |
| | Permit <input checked="" type="checkbox"/> | Certificate <input checked="" type="checkbox"/> |

ADDRESS

13258

JA1712
SE ROA 1629

Michael D. Buschelman Consulting, Inc.

Post Office Box 51371
Sparks, Nevada 89435
(775) 355-9628 Office
(775) 355-9629 Fax

RECEIVED

05 MAY -3 PM 1:26

STATE ENGINEERS OFFICE

May 3, 2005

Hand Delivered

Mr. Hugh Ricci, P.E., State Engineer
Nevada Division of Water Resources
123 West Nye Lane - Room 246
Carson City, Nevada 89706-0818

Re: Application to Change a portion of Permit No. 64977
Applicant: Intermountain Water Supply, Ltd

Dear Mr. Ricci:

Enclosed please find an application to change the point of diversion and place of use of a portion of Permit No. 64977. A check in the amount of \$150.00 is enclosed to cover the required filing fees.

Should you have questions, please contact my office.

Sincerely,


Michael D. Buschelman

Cc w enclosures: Robert Marshall - Intermountain Water Supply, Ltd.

JA1713
SE ROA 1630

ORIGINAL

Serial No. **72700**

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 03 2005**

Returned to applicant for correction **MAY 16 2005**

Corrected application filed **JUL 15 2005** Map filed **JUL 15 2005**

The applicant **Intermountain Water Supply, Ltd.**

2440 Holcomb Ranch Lane

of **Reno**

Street and No. or P.O. Box No.

City or Town

Nevada 89511

State and Zip Code No.

hereby make an application for permission to change the

Point of Diversion and Place of Use of a Portion

of water heretofore appropriated under **Permit No. 64977**

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 sources.

2. The amount of water to be changed **0.83 cfs - 600.00 acre feet per annum**

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for **Municipal and Domestic**

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 **Municipal and Domestic**

If for stock, state number and kind of animals.

5. The water is to be diverted at the following point **w/in SE1/4 SE1/4 Section 2 T24N, R19E, MDM**

Describe as being within a 40-acre subdivision of public survey and by course

or at a point from which the SE corner of said Section 2 bears S 41 degrees 37 minutes East,
and distance to a section corner. If on unsurveyed land, it should be stated.

a distance of 1,495 feet -- Proposed point of diversion within Basin No. 95 - Dry Valley

6. The existing point of diversion is located within **NW1/4 NW1/4 Section 11 T24N, R19E, MDM or at a point**

If point of diversion is not changed, do not answer.

from which the SE corner of Section 19 T24N, R20E, MDM bears S 44 degrees, 08 minutes,

53 seconds E, a distance of 21,262 feet. - Point of Diversion within Basin No. 95 - Dry Valley

JA1714
SE ROA 1631

7. Proposed place of use

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

Within portions of APN 79-220-39 and APN 79-200-37 - Washoe County, Nevada

8. Existing place of use Sections 1 through 36 T21N, R19E, MDM; Section 36 T21N, R18E, MDM;

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of

Sections 1 through 17 T20N, R19E, MDM; and Sections 1 and 12 T20N, R18E, MDM
use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

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

10. Use 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.) Drilled and cased well, equipped with motor, pump and

State manner in which water is to be diverted, i.e. diversion structure, ditches,

to place of use

pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works \$100,000

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

Phone: 355-9628

STATE ENGINEERS OFFICE

05 MAY - 3 PM 1:26

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

By

Signature of Agent, Michael D. Buschelman

Post Office Box 51371

Street and No., or P.O. Box No.

Sparks, Nevada 89435

City, State, Zip Code No.

\$150 FILING FEE MUST ACCOMPANY APPLICATION

(O)-1583A (Rev. 10-95)

JA1715
SE ROA 1632

PROPOSED PLACE OF USE

| DIVISION | SECTION | TOWNSHIP | RANGE | MERIDIAN |
|----------------------|---------|----------|-------|-----------|
| SW 1/4 NE 1/4 | 12 | 24N | 19E | M.D.B.&M. |
| E 1/2 SW 1/4 | 12 | 24N | 19E | M.D.B.&M. |
| SE 1/4 SW 1/4 SW 1/4 | 12 | 24N | 19E | M.D.B.&M. |
| W 1/2 SE 1/4 | 12 | 24N | 19E | M.D.B.&M. |
| SE 1/4 SE 1/4 | 12 | 24N | 19E | M.D.B.&M. |
| N 1/2 | 13 | 24N | 19E | M.D.B.&M. |
| N 1/2 SW 1/4 | 13 | 24N | 19E | M.D.B.&M. |
| N 1/2 SE 1/4 SW 1/4 | 13 | 24N | 19E | M.D.B.&M. |
| SE 1/4 | 13 | 24N | 19E | M.D.B.&M. |
| NE 1/4 NE 1/4 | 14 | 24N | 19E | M.D.B.&M. |
| S 1/2 NE 1/4 | 14 | 24N | 19E | M.D.B.&M. |
| SE 1/4 SW 1/4 | 14 | 24N | 19E | M.D.B.&M. |
| N 1/2 SE 1/4 | 14 | 24N | 19E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 14 | 24N | 19E | M.D.B.&M. |
| NE 1/4 NE 1/4 | 24 | 24N | 19E | M.D.B.&M. |
| NE 1/4 NW 1/4 NE 1/4 | 24 | 24N | 19E | M.D.B.&M. |
| N 1/2 SE 1/4 NE 1/4 | 24 | 24N | 19E | M.D.B.&M. |
| SE 1/4 SE 1/4 | 24 | 24N | 19E | M.D.B.&M. |
| NE 1/4 SW 1/4 | 7 | 24N | 20E | M.D.B.&M. |
| S 1/2 SW 1/4 | 7 | 24N | 20E | M.D.B.&M. |
| NW 1/4 NW 1/4 | 17 | 24N | 20E | M.D.B.&M. |
| S 1/2 NW 1/4 | 17 | 24N | 20E | M.D.B.&M. |
| N 1/2 SW 1/4 | 17 | 24N | 20E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 18 | 24N | 20E | M.D.B.&M. |
| S 1/2 NE 1/4 | 18 | 24N | 20E | M.D.B.&M. |
| W 1/2 | 18 | 24N | 20E | M.D.B.&M. |
| SE 1/4 | 18 | 24N | 20E | M.D.B.&M. |
| NW 1/4 | 19 | 24N | 20E | M.D.B.&M. |
| E 1/2 SW 1/4 | 19 | 24N | 20E | M.D.B.&M. |
| NE 1/4 NW 1/4 SW 1/4 | 19 | 24N | 20E | M.D.B.&M. |
| NW 1/4 SW 1/4 | 21 | 24N | 20E | M.D.B.&M. |
| SW 1/4 NW 1/4 | 27 | 24N | 20E | M.D.B.&M. |
| W 1/2 SW 1/4 | 27 | 24N | 20E | M.D.B.&M. |
| N 1/2 SE 1/4 | 28 | 24N | 20E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 28 | 24N | 20E | M.D.B.&M. |

PROPOSED PLACE OF USE

| <u>DIVISION</u> | <u>SECTION</u> | <u>TOWNSHIP</u> | <u>RANGE</u> | <u>MERIDIAN</u> |
|---------------------|----------------|-----------------|--------------|-----------------|
| S 1/2 SW 1/4 NW 1/4 | 29 | 24N | 20E | M.D.B.&M. |
| SE 1/4 NW 1/4 | 29 | 24N | 20E | M.D.B.&M. |
| NW 1/4 SW 1/4 | 29 | 24N | 20E | M.D.B.&M. |
| ✓ S 1/2 SW 1/4 | 29 | 24N | 20E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 30 | 24N | 20E | M.D.B.&M. |
| S 1/2 NE 1/4 | 30 | 24N | 20E | M.D.B.&M. |
| NE 1/4 SE 1/4 | 30 | 24N | 20E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 30 | 24N | 20E | M.D.B.&M. |
| N 1/2 SE 1/4 SE 1/4 | 30 | 24N | 20E | M.D.B.&M. |
| NW 1/4 NE 1/4 | 32 | 24N | 20E | M.D.B.&M. |
| S 1/2 NE 1/4 | 32 | 24N | 20E | M.D.B.&M. |
| ✓ NE 1/4 NW 1/4 | 32 | 24N | 20E | M.D.B.&M. |
| NE 1/4 NW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| SW 1/4 NW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| W 1/2 SE 1/4 NW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| W 1/2 NE 1/4 SW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| NW 1/4 SW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| SE 1/4 SW 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| NE 1/4 SE 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 33 | 24N | 20E | M.D.B.&M. |
| SW 1/4 SE 1/4 | 34 | 24N | 20E | M.D.B.&M. |

RECEIPT

STATE OF NEVADA
DIVISION OF WATER RESOURCES

123 W. Nye Lane, Room 246
Carson City, Nevada 89706-0818

Duplicate

189175

MAY 3 2005

MICHAEL D BUSCHELMAN CONSULTING
P O BOX 51371
SPARKS NV 89435

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| | | | | |
| | TO FILING APPLICATION TO CHANGE NO. 72700 | | 150 | 00 |
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CHECK 2394

Remittance by

Received payment in the office of the State Engineer

s/Sue Cox

By

(Rev. 9-00)

(U) 410

JA1718
SE ROA 1635