

AMENDED

No 52738

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office NOV 29 1988

JAN 03 1989

Returned to applicant for correction

Correction application filed

MAR 06 1989

Map filed

The applicant The Lake at Las Vegas Joint Venture

1050 East Flamingo Road Suite 137, of Las Vegas

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

City or Town

Nevada 89119, hereby make application for permission to appropriate the public

State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

TransNeva Limited Partnership, Its Managing General Partner
TransNeva Corporation, Its Managing General Partner

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 2.00 second-feet
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet N/A

3. The water to be used for Construction and Dust Control
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:
(a) Irrigation, state number of acres to be irrigated: None

(b) Stockwater, state number and kinds of animals to be watered: None

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed Unknown until drilling is complete

(2) Point of return of water to stream The Lake at Las Vegas

5. The water is to be diverted from its source at the following point: S.W. 1/4 of S.E. 1/4, of Section 14 TP 21 South, Range 63 East, Mt. Diablo Meridian The well will be constructed at least 1320 ft. from the Las Vegas Wash. The well seal will be 100 ft. in depth. The POD bears N86°31'42" W a distance of 1489.43' from the SE corner of said Section 14, T.21S., R.63 E., M.D.B.&M.

6. Place of use The Lake at Las Vegas Resort Portions of Section 14, 15, 22, 23 Tp 21 South, Range 63 East, Mt. Diablo Meridian

7. Use will be begin about January 1 and end about December 31, of each year.

8. 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 well(s), pumps, motors

State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works Unknown until well(s) are drilled

10. Estimated time required to construct works. Estimate six (6) to twelve (12) months to drill well(s) and install pumps and motors

If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use. 2-3 years

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

The first well is to be exploratory. A map prepared by a Water Rights Surveyor will be filed after the Well Test program is complete

By /s/ Steven Ainsworth 1050 East Flamingo Road, Suite 137 Las Vegas, Nevada 89119

Compared kh/se pm/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 place to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

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

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.0 cubic feet per second, but not to exceed 235.906 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 2, 1990

Proof of completion of work shall be filed before July 2, 1990

Application of water to beneficial use shall be filed on or before June 2, 1991

Proof of the application of water to beneficial use shall be filed on or before July 2, 1991

Map in support of proof of beneficial use shall be filed on or before N/A

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

Proof of beneficial use filed my office, this 2nd day of June

Cultural map filed A.D. 89.

Certificate No. Issued

[Signature of Peter G. Morros] State Engineer

218 (Rev.) DEC - 6 1991 CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT [Signature] STATE ENGINEER

(PERMIT TERMS CONTINUED)

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 under the provisions of NRS 534.120(2) as a preferred use.

The well must be sealed from the surface to a depth of 100 feet below the elevation of Las Vegas Wash.

This permit is issued for construction and dust control only and will expire at the termination of the construction project.