ASSIGNED

AMENDED

Serial No. 54667

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

Date of filing in State Engineer's Office APR 17 1990

Returned to applicant for correction JUN 1 1990

Corrected application filed JUN 14 1990 Map filed JUN 15 1990 under 54666

The applicant MINAMI DEVELOPMENT INC.

300 South 4th Street, Ste. 606 (Street and No. or P.O. Box No.) of Las Vegas (City or Town)

Nevada 89101 (State and Zip Code No.) hereby make application for permission to change the

Point of Diversion and Place of Use of a portion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit No. 24245 Certificate No. 7833 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Underground (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 0.0666 cfs, 27-acre feet annually (Second feet, acre feet. One second foot equals 448.3 gallons per minute.)
3. The water to be used for Quasi-Municipal (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Quasi-Municipal (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
5. The water is to be diverted at the following point SE ¼ of the NE ¼ of Section 28, Township 19 South, Range 57 East, MDB & M, bearing South 58°20'35" East, 1223 feet to the East ¼ corner. (Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
6. The existing permitted point of diversion is located within The NE ¼ of the SE ¼ of Section 20, Township 21 South, Range 61 East, MDB & M or at a Point from which the East ¼ corner of said Section 20 bears North 89°05'50" East 921.00 feet. (If point of diversion is not changed, do not answer)
7. Proposed place of use Portions of the S ½ of the NE ¼ and, portions of the NW ¼ of the SE ¼ and, portions of the NE ¼ of the SW ¼ of Section 28, Township 19 South, Range 57 East, MDB & M. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use Portions of NE ¼ of the NE ¼ Section 20, Township 21 South, Range 61 East MDB & M. (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
9. Use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted from January 1 (Month and Day) to December 31 (Month and Day) of each year.
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 well with pump and motor pumping to small holding tank. (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works $100,000
13. Estimated time required to construct works One Year

14. Estimated time required to complete the application of water to beneficial use Two Years

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

Water is to be used for domestic use in a proposed 200-room hotel.
Consulting Engineers: G. C. Wallace, Inc.
1555 So. Rainbow Blvd.
Las Vegas, NV 89102 702/363-1200

s/Kendal Stewart
By Kendal D. Stewart, Sr. Vice President
300 South Fourth Street, Suite 606
Las Vegas, NV 89101

Compared pm/ bp am/se

Protested

APPROVAL OF STATE ENGINEER

This is to certify 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 24245, Certificate 7833 is issued subject to the terms and conditions imposed in said Permit 24245, Certificate 7833 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

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

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

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0666 cubic feet per second, but not to exceed 27 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 14, 1994

Proof of completion of work shall be filed before May 14, 1994

Application of water to beneficial use shall be made on or before April 14, 1997

Proof of the application of water to beneficial use shall be filed on or before May 14, 1997

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

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 14th day of April, A.D. 19 92

R. Michael Turnipseed P.E.
State Engineer

Abrogated By 62097 - T 0.004 8xp 6/2/97

(Rev. 6-81)

(O)-1108

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 54666 and 54667 shall not exceed 153.54 acre-feet annually.

This issuance of Permits 54666 and 54667 reduces the total combined duty under Permit 24243, Certificate 7500; Permit 24245, Certificate 7833; Permit 27838, Certificate 13116; and 29614, Certificate 8885 to 213.34 acre-feet annually.

A monitoring well shall be installed at a location approved by the State Engineer prior to any use of water under Permit 54666 and 54667.