

TEMPORARY

Serial No. 56232 T

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 26 1991

Returned to applicant for correction

Corrected application filed Map filed APR 26 1991

The applicant The Lake Las Vegas Joint Venture, Inc.

1050 E. 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 change the State and Zip Code No.

Portion of Point of Diversion Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 53830 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 1.0 second-foot Second feet, acre feet. One second foot equals 448.83 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 SW 1/4 of NE 1/4 of NE 1/4 of Section 15, T. 21 S., R. 63 E., M.D.M. 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.

corner of Section 15, T. 21 S., R. 63 E., M.D.M.

6. The existing permitted point of diversion is located within NW 1/4 of SE 1/4 of Section 14, T. 21 S., R. 63 E., M.D.M. at a point 2716.95 feet along a bearing of South 30 degrees 24 minutes 46 seconds East to the SE corner of Section 14, T. 21 S., R. 63 E., M.D.M. If point of diversion is not changed, do not answer.

7. Proposed place of use The Lake Las Vegas Resort Portions of Sections 14, 15, 22, and 23, Township 21 South, Range 63 East, Mt. Diablo Meridian. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

(Same as existing place of use.)

8. Existing place of use The Lake Las Vegas Resort Portions of Sections 14, 15, 22, and 23, Township 21 South, Range 63 East, Mt. Diablo Meridian. Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use or 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 was 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 well(s) with pumps and motors. 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 Unknown until completed.

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

14. Estimated time required to complete the application of water to beneficial use..... 1 to 3 years

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

This is a request for a temporary change in the point of diversion, until which time the formal application for the change in the point of diversion has been approved.

By s/Steven C. Ainsworth
1050 East Flamingo Rd., Suite 137
Las Vegas, Nevada 89119

Compared pm/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 temporary permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 53830 is issued subject to the terms and conditions imposed in said Permit 53830 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 temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

The total combined duty of water under permits 46029, 46030, 53704, 53829, 53830, 53831 and 56232-T is initially limited to 2200 acre-feet. At least four groundwater monitoring wells are to be located or installed within the general area of the production well under this permit at locations approved by the State Engineer. (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 1.0 cubic feet per second, but not to exceed 723.97 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

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 3rd day of May

A.D. 19 91

[Signature] State Engineer

TEMPORARY

EXPIRED

DATE MAY 3 1992

(PERMIT TERMS CONTINUED)

These monitoring wells must be installed prior to any diversion of groundwater allowed by this permit. The monitoring wells must penetrate at least 75 feet below the existing water table. The total combined duty of water allowed under permits 46029, 46030, 53704, 53829, 53830, 53831 and 56232-T may be raised to a maximum of 4400 acre-feet in stages and as approved and authorized by the State Engineer only after the State Engineer has determined that the additional withdrawal will not adversely affect existing rights or the groundwater resources. The permittee will maintain pumping records on the amounts of water withdrawn and submit copies of these records to the State Engineer on a monthly basis. Water level measurements will be maintained on the monitoring wells and copies of these records will be submitted to the State Engineer on a monthly basis.

This temporary permit is issued subject to the State Engineer's ruling dated July 12, 1990.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on May 3, 1992 at which time all rights herein granted shall revert to the right being changed by this temporary permit.