

2nd AMENDED

Serial No. 60156

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 JUN 27 1994

Returned to applicant for correction SEP 9 1994

Corrected application filed Map filed OCT 19 1994

The applicant Tracinda Corporation

4045 S. Spencer, Suite A-57f 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.

point of diversion and manner of use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 16819, Certificate 4785.
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 an underground source (Las Vegas Artesian Basin)
2. The amount of water to be changed 0.10 cfs (5.5 mga)
3. The water to be used for Quasi-Municipal (Resort)
4. The water heretofore permitted for Commercial (Motel and Trailer Park)
5. The water is to be diverted at the following point SE 1/4 SE 1/4, Section 20, T21S, R61E, M.D.M., or at a point from which the SE corner of said Section 20 bears S63° 21'10"E, a distance of 1,386.00 feet
6. The existing permitted point of diversion is located within SE 1/4 SE 1/4, Section 20, T21S, R61E, M.D.B. &M., Clark County, Nevada, or at a point from which the SE corner of said Section 20 bears S57° 14' 00"E, a distance of 693.00 feet.
7. Proposed place of use S 1/2 SE 1/4 SE 1/4, Section 20, T21S, R61E, M.D.M., Clark County, Nevada
8. Existing place of use S 1/2 SE 1/4 SE 1/4, Section 20, T21S, R61E, M.D.B. &M., Clark County, Nevada
9. Use will be from January 1st to December 31st of each year.
10. Use was permitted from January 1st to December 31st 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, pump, motor and distribution system throughout the place of use.
12. Estimated cost of works \$43,500 (excluding distribution system)
13. Estimated time required to construct works three (3) years.

14. Estimated time required to complete the application of water to beneficial use five (5) years

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

Annual consumptive use will be 5.5 million gallons.

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By S/Carl D. Savely, Esq.
300 S. Fourth Street, Suite 1700
Las Vegas, Nevada 89101

Compared cm/do jr/bk

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 to change the point of diversion and manner of use of the waters of an underground source as heretofore granted under Permit 16819, Certificate 4785 is issued subject to the terms and conditions imposed in said Permit 16819, Certificate 4785 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.

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 existing well under Permit 16819, Certificate 4785 shall be plugged as required by NAC 534.420 immediately upon the issuance of Permit 60156.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.10 cubic feet per second, but not to exceed 5.5 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 26, 1997

Proof of completion of work shall be filed before July 26, 1997

Application of water to beneficial use shall be made on or before June 26, 2000

Proof of the application of water to beneficial use shall be filed on or before July 26, 2000

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, R. MICHAEL TURNIPSEED, P.E.,
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 26th day of June

A.D. 1995

R. Michael Turnipseed, P.E.
State Engineer

Abrogated By 61670 D.10