

**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 NOV 02 1998
 Returned to applicant for correction DEC 07 1998
 Corrected application filed DEC 30 1998
 Map filed JAN 11 1999

The applicant Nevada Roses c/o Paul Swartz, hereby make application for permission to change the Manner of use & Point of Diversion of water heretofore appropriated under Permit No. 55434

1. The source of water is underground
2. The amount of water to be changed 30 acre feet (0.099 cfs)
3. The water to be used for commercial (bottled water facility)
4. The water heretofore permitted for irrigation and domestic
5. The water is to be diverted at the following point SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 31, T.21S., R.54E., M.D.M., at a point from which the SW corner of Section 31 bears S. 44 16' 08" W., a distance of 1076.46 feet.
6. The existing permitted point of diversion is located within within SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T.21S., R.54E., M.D.M. at a point from which the SW corner of Said Section 31 bears S. 34 35' 14" W., a distance of 1088.90'.
7. Proposed place of use SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, T21S, R54E, M.D.M.
8. Existing place of use same as #7
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from January 1 to December 31 of each year.
11. Description of proposed works A drilled well 12 $\frac{1}{4}$ x 320' cased w/320 feet of 8 5/8 casing, equipped w/7.5 HP Franklin Motor and Aeromotor submersible pump. A Mc Crometer totalizing meter is installed and read by Div. of Water Resources personnel. Serial No. on meter is 88-2-200. The system included 400 gal. pressure tank, 2500 gal reservoir and 1250 gal. reservoir.
12. Estimated cost of works N/A
13. Estimated time required to construct works completed
14. Estimated time required to complete the application of water to beneficial use 1 year
15. Remarks: This change is requested to accomodate a bottled-water facility (new business) on this property. After one year of use, further modification may be needed based on demand on facility.

By Paul Swartz
 s/Paul Swartz
 3170 E. Tillman St.
 Pahrump, NV. 89048

Compared my/cms cmf/ds

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, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 55434, is issued subject to the terms and conditions imposed in said Permit 55434, 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.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.099 cubic feet per second, **but not to exceed 30.0 acre-feet annually.**

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

July 5, 2002

Proof of completion of work shall be filed before:

August 5, 2002

Water must be placed to beneficial use on or before:

July 5, 2003

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

August 5, 2003

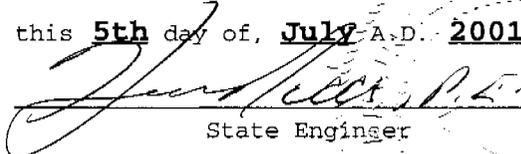
Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 5th day of, July A.D. 2001



State Engineer

Completion of work filed _____

SEP 06 2001

Proof of beneficial use filed _____

Cultural map filed _____

N/A

Certificate No. _____

Issued _____