

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 OCT 02 2002

Returned to applicant for correction OCT 31 2002

Corrected application filed \_\_\_\_\_

Map filed NOV 20 2002

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The applicant **Commercial Federal Bank**, hereby make application for permission to change the **Point of Diversion, Manner and Place of Use of a portion** of water heretofore appropriated under **Permit 12789, Certificate 5064**

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1. The source of water is **Underground**
2. The amount of water to be changed **0.5 cfs; 200.0 acre-feet**
3. The water to be used for **Recreation – Golf Course Irrigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **NE¼ SE¼ Section 5, T.21S R.54E., MDB&M, or at a point from which the E¼ corner of said Section 5 bears N. 45° E., 70 Feet**
6. The existing permitted point of diversion is located within **NE¼ NE¼ Section 7, T.21S., R.54E., MDB&M, or at a point from which the NE corner of said Section 7 bears N. 45°00' E, 57 Feet**
7. Proposed place of use **S½ N½, N½ S½, portion S½ S½ Sec. 4; N½ S½, SE¼ NE¼, portion SW¼ NE¼, portion S½ S½ Sec 5; S½ SE¼, portion N½ SE¼, SE¼ SW¼, portion SW¼ SW¼, portion N½ SW¼, Sec. 6, T.21S., R.54E., M.D.M.**
8. Existing place of use **NE¼ NE¼ Section 7, T.21S., R.54E., MDB&M (40.0 acres)**
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 **Drilled well, pump and distribution system**
12. Estimated cost of works **\$50,000**
13. Estimated time required to construct works **2 Years**
14. Estimated time required to complete the application of water to beneficial use **5 Years**
15. Remarks: **Use cultural map filed under the Proof of Beneficial Use for Permit 12789 to support the Existing Point of Diversion and Place of Use. Use the map filed under Permit 14241 to support the Proposed Point of Diversion. Proposed and existing Points of Diversion are Pahrump Valley Floor wells. Water is to be used for golf course irrigation.**

By **Brian A. Randall, Resource Concepts, Inc.**  
s/**Brian A. Randall**  
**340 North Minnesota Street**  
**Carson City, Nevada 89703**

Compared cmf/cac It/ \_\_\_\_\_

Protested \_\_\_\_\_

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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 of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 12789, Certificate 5064, is issued subject to the terms and conditions imposed in said Permit 12789, Certificate 5064, 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.

The total combined duty of water under Permits 68908, 69195, 69196, 69197, 69199, 70325, 70326, 70327, 70651, 70652 and 71362 shall not exceed 3982.91 acre-feet annually.

The total combined duty of water under Permits 69195, 69196, 69197 and 69199 shall not exceed 209.1 acre-feet annually for the irrigation of 41.82 acres within the described place of use.

(CONTINUED ON PAGE 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.187 cubic feet per second, and not to exceed 74.75 acre-feet annually.

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

April 20, 2007

Proof of completion of work shall be filed on or before:

May 20, 2007

Water must be placed to beneficial use on or before:

April 20, 2012

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

May 20, 2012

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

May 20, 2012

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 10th day of July, A.D. 2006

Tracy Taylor, P.E.  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_