

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 10 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUN 10 2003 under 70100

The applicant **Bellagio LLC**, A Nevada Limited Liability Company hereby makes application for permission to change the **Point of Diversion and Place of Use** of water heretofore appropriated under **Permit 61902**

1. The source of water is **Underground**
2. The amount of water to be changed **0.184 cubic feet per second, not to exceed 48.82 acre-feet annually**
3. The water to be used for **Recreation and Domestic**
4. The water heretofore permitted for **Recreation and Domestic**
5. The water is to be diverted at the following point in the **SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, T19S R61E, MDM**, or at a point from which the **W $\frac{1}{4}$ corner** of said Section 36 bears **S 80°44'00" W** a distance of **1205.87 feet**
6. The existing permitted point of diversion is located within the **SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 20, T21S, R61E, MDM**, or at a point from which the **Northeast corner** of said Section 20 bears **N 34° 16'46" E** a distance of **2082.50 feet**
7. Proposed place of use the **North $\frac{1}{2}$ of Section 36, T19S, R61E, MDM.**
8. Existing place of use **Portions of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ all in Section 20, T21S, R61E, MDM.**
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 **Newly constructed 12-inch diameter well to a planned depth of 580 feet, new 10-inch diameter conveyance pipeline to the storage pond at Hole No. 4, submersible or line-shaft turbine pump with controls, and a totalizing flow meter.**
12. Estimated cost of works **\$325,000**
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **5 years**

15. Remarks: Water will be pumped from a new well (Well No. 5) to the main irrigation water storage pond (Pond at Hole No. 4) for turf and landscape irrigation and water feature uses at Shadow Creek Golf Course. Reference is made to the supporting map for application 61902 for existing point of diversion and place of use.

By Dwight L. Smith, Agent
s/Dwight L. Smith
P. O. Box 1482
Truckee, CA 96160

Compared sg/cmF 1^h/cmF

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 place of use of the waters of an underground source as heretofore granted under Permit 61902 is issued subject to the terms and conditions imposed in said Permit 61902 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 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 0.184 cubic feet per second, but not to exceed 48.82 acre-feet annually.

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

September 17, 2004

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

October 17, 2004

Water must be placed to beneficial use on or before:

September 17, 2008

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

October 17, 2008

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

October 17, 2008

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 17th day of September, A.D. 2003



State Engineer

Completion of work filed NOV 01 2004

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

