

**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 FEB 12 2004

Returned to applicant for correction \_\_\_\_\_

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

Map filed FEB 20 2004

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The applicant **HHH Investments, LLC**, hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use of a portion** of water heretofore appropriated under **Permit 41167, Certificate 13221**

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1. The source of water is **Underground**
2. The amount of water to be changed **0.3325 c.f.s., 240.38 AFA**
3. The water to be used for **Municipal**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$  NE $\frac{1}{4}$  Section 16, T.21S., R.54E., MDM, or at a point from which the E $\frac{1}{4}$  corner of said Section 16 bears South 8 $^{\circ}$ 50' East, a distance of 1,239.0 feet**
6. The existing permitted point of diversion is located within **SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 3, T.21S., R.54E., MDB&M, or at a point from which the S $\frac{1}{4}$  corner of said Section 3 bears South 79 $^{\circ}$ 30' West, a distance of 657.0 feet**
7. Proposed place of use **SW $\frac{1}{4}$ , S $\frac{1}{2}$  NW $\frac{1}{4}$  Section 16; SE $\frac{1}{4}$ , S $\frac{1}{2}$  NE $\frac{1}{4}$  Section 17; N $\frac{1}{2}$  NE $\frac{1}{4}$  Section 21, all in T.21S., R.54E., MDM, which is the Service Area for Pahrump Utility Company, Inc.**
8. Existing place of use **See attached Relinquishment Table. 49.4436 acres to be removed from irrigation in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  (10.846 ac.), the NW $\frac{1}{4}$  SE $\frac{1}{4}$  (24.02 ac.) and the NE $\frac{1}{4}$  SE $\frac{1}{4}$  (14.5776 ac.) Section 17, T.21S., R.54E., MDM, as shown on the supporting map.**
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 **well, pump, motor, and municipal water distribution system**
12. Estimated cost of works **in excess of \$250,000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **20 years**
15. Remarks: **The purpose of this application is to provide water service to 199 residential lots and 3 open space lots (17.50 AFA) in the proposed Artesia at Hafen Ranch Phase 4**

subdivision. Upon approval of this application by the State Engineer, 49.4436 acres will be withdrawn from the supplemental permits.

Bruce R. Scott, Resource Concepts, Inc.  
By s/Bruce R. Scott  
340 North Minnesota Street  
Carson City, Nevada 89703

Compared cmf/sam 1b/ cmf

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 41167, Certificate 13221 is issued subject to the terms and conditions imposed in said Permit 41167, Certificate 13221 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 0.3325 cubic feet per second, **but not to exceed 240.38 acre-feet annually.**

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

March 19, 2006

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

April 19, 2006

Water must be placed to beneficial use on or before:

March 19, 2014

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

April 19, 2014

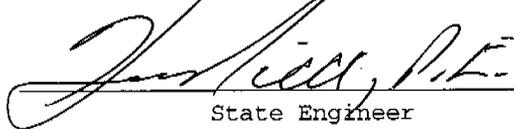
Map in support of proof of beneficial use shall be filed on or before:

NA

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

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

this 8th day of July, A.D. 2004

  
\_\_\_\_\_  
State Engineer

Completion of work filed APR 15 2005

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

Cultural map filed NA

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