THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant:	**DESERT UTILITIES, INC.**
Source:	**UNDERGROUND**
Basin:	**PAHRUMP VALLEY**
Manner of Use:	**MUNICIPAL**
Period of Use:	**January 1st to December 31st**
Priority Date:	**10/09/1952**

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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 and manner of use of the waters of an underground source as heretofore granted under Permit 62675 is issued subject to the terms and conditions imposed in said Permit 62675 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.

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 permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

Permits 64574 and 64575 are for backup water only and do not add to the total combined duty of water.

The total combined duty of water under Permits 59604, 59605, 59606, 64043, 64044, 64574, 64575, 65101, 65562, 65715, 66829, 67016, 67950, 69430, 71363, 71937, 71938, 72967, 73592, 73646, 73647, 73691 and 74579, having the same place of use, shall not exceed 2635.189 acre-feet annually.

The total combined duty of water under Permits 59604, 64044, 67016 and 74579, having the same point of diversion (Well #1), shall not exceed 2.959 cubic feet per second and 775.0 acre-feet annually.

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.

Any dedication of water from this permit for residential service shall be allocated at the per lot or unit duty prescribed, by letter dated November 4, 2008, by the State Engineer. The State Engineer may amend this dedicated allocation based on evidence and supporting data.

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.1 cubic feet per second or 10.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **April 9, 2010**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **April 9, 2019**

Map in support of proof of beneficial use shall be filed on or before: **N/A**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of **April**, A.D. **2009**

K. Hurl P.E.
for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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No. 74579

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 AUG 01 2006

Returned to applicant for correction

Corrected application filed

Map filed FEB 27 2001 under 67016

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The applicant **Desert Utilities, Inc.** hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use** of water heretofore appropriated under **Permit 62675**

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1. The source of water is **Underground**

2. The amount of water to be changed **0.10 c.f.s. (not to exceed 10.0 A.F.A)**

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 **SE¼SE¼ Section 22, T. 19 S., R. 53 E., M.D.M. or at a point from which the NE corner of said Section 22 bears North 2°40' East, a distance of 4,795 feet. (Desert Utilities, Inc. Well # 1)**

6. The existing permitted point of diversion is located within **SE¼NW¼ Section 34, T.19 S., R.53 E., MDM, or at a point from which the Center ¼ corner of said Section 34 bears South 26°21'39" East., a distance of 680.27 feet.**

7. Proposed place of use **SW¼SW¼, NW¼SW¼, NE¼SW¼ Section 15; all of Section 21; SW¼NW¼, SE¼NW¼, S½, NE¼ excluding all lands located Westerly from the East right-of-way line of State Hwy. 160, Section 22; N½NW¼, NW¼NE¼ Section 27; all of Section 28 excluding the SW¼SE¼; E½NE¼ Section 29; all in T.19 S., R.53 E., MDM.**

8. Existing place of use **Within the SE¼NW¼ Section 34, T.19 S., R.53 E., M.D.M. in Nye County, Nevada, being lots 6, 7, 8, & 9 of Block 7, Rancho Del Sol Subdivision Unit 3, File No. 49565, Nye County Records. All acreage under Permit 62675 to be removed from irrigation under this Application.**

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, storage tank and water distribution system**

12. Estimated cost of works **In excess of $1,000,000**

13. Estimated time required to construct works **Existing**

14. Estimated time required to complete the application of water to beneficial use **10 years**

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15. Remarks: **Please use map on file under Application 67016 to support proposed Point of Diversion and proposed Place of Use. Use map on file under Application 62674 to support the existing Point of Diversion and Existing Place of Use. Together with an Application being filed concurrently, a total of 3.30 acres will be removed from irrigation from this place of use and the water into Desert Utilities, Inc.**

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

Compared **sg/ag**

Protested

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