



## AMENDED

### 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:           **BEAZER HOMES HOLDING CORPORATION**  
 Source:                         **UNDERGROUND**  
 Basin:                         **PAHRUMP VALLEY**  
 Manner of Use:             **QUASI-MUNICIPAL**  
 Period of Use:             **January 1st to December 31st**  
 Priority Date:               **03/09/1970**

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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 25488 is issued subject to the terms and conditions imposed in said Permit 25488 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 an annual basis within 30 days after the end of each calendar year.

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

The total combined duty of water under Permits 74931 and 74933 shall not exceed 357.0 acre-feet annually.

The total combined duty of water under Permits 74931, 74932 and 74933 shall not exceed 665.0 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If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

(Continued on Page 2)

The issuance of this permit simultaneously abrogates Permit 74930-T.

Any dedication of water from this permit for a residential subdivision shall be allocated at 0.88 acre-feet per lot.

The point of diversion and place of use is as described under items 5 & 7 respectively on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.76 cubic feet per second, but not to exceed 200 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

May 16, 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

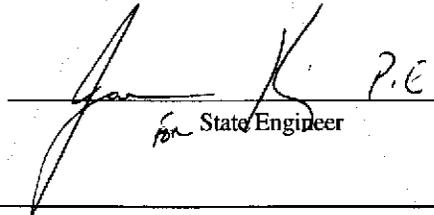
May 16, 2012

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 3rd day of March, A.D. 2009

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

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

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

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

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

llb



See Amended

Permit No. 74933

## THE STATE OF NEVADA

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Source: UNDERGROUND  
Basin: PAHRUMP VALLEY  
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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 issuance of this permit simultaneously abrogates Permit 74930-T.

Any dedication of water from this permit for a residential subdivision shall be allocated at 1.12 acre-feet per lot. ~~The State Engineer may amend the per lot allocation based on data and evidence supporting such change.~~

The point of diversion and place of use is as described under items 5 & 7 respectively 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 0.76 cubic feet per second, but not to exceed 200 acre-feet annually.

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May 16, 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

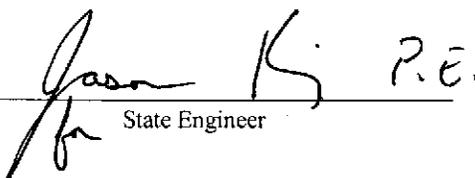
May 16, 2012

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 16<sup>th</sup> day of May, A.D. 2007

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

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

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

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

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

**AMENDED**  
**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 20 2006 \_\_\_\_\_  
Returned to applicant for correction \_\_\_\_\_ OCT 31 2006 \_\_\_\_\_  
Corrected application filed \_\_\_\_\_ NOV 08 2006 \_\_\_\_\_  
Map filed \_\_\_\_\_ NOV 08 2006 \_\_\_\_\_

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The applicant **Beazer Homes Holding Corporation** hereby makes application for permission to change the **Point of diversion Place of use Manner of use of a portion of water** heretofore appropriated under **Permit 25488, Certificate 8930**

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1. The source of water is **underground**
2. The amount of water to be changed **0.76 c.f.s., 200 AFA**
3. The water to be used for **quasi-municipal**
4. The water heretofore permitted for **irrigation & domestic**
5. The water is to be diverted at the following point **SE¼ NE¼ Sec. 8, T. 21 S., R 54 E., MDB&M, or at a point from which the N¼ corner of the said Sec. 8 bears N. 28°40'49" W., a distance of 2957.33 feet**
6. The existing permitted point of diversion is located within **SW¼ SW¼ Sec. 8, T. 21 S., R 54 E., MDB&M, or at a point from which the SW corner of the said Sec. 8 bears S. 19°03' W., 1,077.0 feet**
7. Proposed place of use **See attached. See also map filed in conjunction with Applications 73527**
8. Existing place of use **40 acres in the NE¼ SE¼ Section 7, T. 21S., R 54 E., MDB&M**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31**
11. Description of proposed works **drilled well, pump, motor and water distribution system**
12. Estimated cost of works **in excess of \$50,000**
13. Estimated time required to construct works **2 years**
14. Estimated time required to complete the application of water to beneficial use **10 years**

**74933**

15. Remarks: **Applicant intends to dedicate water under this and related applications (base permits 20879, 23429 and 25488, collectively) to a public utility to serve 586 single family residential units plus related common uses.**

By **Tom Driggs**  
s/ **Tom Driggs**  
**400 S. Fourth St., 3<sup>rd</sup> Floor**  
**Las Vegas, NV 89101**

Compared **bk/mt** \_\_\_\_\_

Protested \_\_\_\_\_

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## EXHIBIT

## 7. PROPOSED PLACE OF USE

Expanded Service Area of The Pahrump Utility Company, Inc.

- Section 3: S  $\frac{1}{2}$  SW  $\frac{1}{4}$ ; portion SW  $\frac{1}{4}$  SE  $\frac{1}{4}$
- Section 4: portion SE  $\frac{1}{4}$  SE  $\frac{1}{4}$
- Section 7: S  $\frac{1}{2}$  NE  $\frac{1}{4}$ ; N  $\frac{1}{2}$  SE  $\frac{1}{4}$
- Section 8: E  $\frac{1}{2}$ ; E  $\frac{1}{2}$  NW  $\frac{1}{4}$ ; portion SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; portion NW  $\frac{1}{4}$  SW  $\frac{1}{4}$
- Section 9: All, excepting NE  $\frac{1}{4}$  NE  $\frac{1}{4}$  SE  $\frac{1}{4}$
- Section 10: N  $\frac{1}{2}$  NE  $\frac{1}{4}$ ; SW  $\frac{1}{4}$  SE  $\frac{1}{4}$ ; NE  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; E  $\frac{1}{2}$  NW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; SW  $\frac{1}{4}$  NW  $\frac{1}{4}$ ; NW  $\frac{1}{4}$  SW  $\frac{1}{4}$ ; SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  SW  $\frac{1}{4}$
- Section 11: That portion of the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  lying North of State Route 160
- Section 16: All, excepting S  $\frac{1}{2}$  SE  $\frac{1}{4}$
- Section 17: E  $\frac{1}{2}$
- Section 21: N  $\frac{1}{2}$  NE  $\frac{1}{4}$

All in Township 21 South, Range 54 East, MDM