



THE STATE OF NEVADA
PERMIT TO APPROPRIATE WATER

Name of applicant: DONALD G. DIAL
Source: UNDERGROUND
Basin: PAHRUMP VALLEY
Manner of Use: COMMERCIAL
Period of Use: January 1st to December 31st
Priority Date: 10/22/2007

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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use under State Engineers Order #1107.

Permit 76427 is issued for commercial water service to the parcel identified by the Nye County Assessor as APN 44-122-26. Proof of beneficial use records for the proposed non-domestic commercial purposes shall be metered separately from any domestic use.

Upon cessation of pumping for commercial purposes at this place of use, the water under Permit 76427 shall return to the groundwater source and no application to change or relinquishment will be allowed.

The point of diversion and place of use are as described 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 0.045 cubic feet per second or 2.0 acre-feet annually.

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

February 28, 2009

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

February 28, 2011

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 28th day of February, A.D. 2008

Handwritten signature of Tracy Taylor, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY
Date of filing in State Engineer's Office OCT 22 2007
Returned to applicant for correction
Corrected application filed Map filed OCT 22 2007

The applicant DONALD G. DIAL

2031 E. GAMEBIRD ROAD, # A OF Pahrump
NEVADA 89048 hereby make application for permission to appropriate

the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

Is applicant a U.S. citizen? Yes [] [X] No []

Is applicant 21 years of age or older? Yes [] [X] No []

NRS 533.325 requires that applicant be a citizen of the United State or have legally declared their intention to become a citizen, and that they be 21 years of age or older.

1. The source of the proposed appropriation is Underground Source

2. The amount of water applied for is 2.02 AFA, .045 CFS second feet.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for COMMERCIAL USE

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kind of animals

(c) Other use (describe fully "No. 12. Remarks") SEE ITEM #12 AND FIXTURE COUNT

(d) Power:

(1) Horse Power developed

(2) Point of return of water to stream

162-114

5. The water is to be diverted from its source at the following point THE NW 1/4 OF THE NW 1/4 OF SECTION 1,
Describe as being within a 40-acre subdivision of public
T. 21 S., R. 53 E., M.D.B. & M., NYE COUNTY, NEVADA OR AT A POINT FROM WHICH THE NORTHWEST
survey, and by course and distance to section corner, if on unsurveyed land, it should be so stated.
CORNER OF SAID SECTION 1 BEARS N 62° 43' 30" W A DISTANCE OF 349.97' FEET.

6. Place of use WITHIN THE NW 1/4 OF THE NW 1/4 OF SECTION 1, T. 21 S., R. 53 E., M.D.B. & M., NYE
Describe by legal subdivision. If on unsurveyed land, it should be so stated.
COUNTY, NEVADA KNOWN AS A.P.N. # 44-122-26, ALSO KNOWN AS PARCEL # 1 ON PARCEL MAP,
FILE # 603327 RECORDED 9-27-2004 IN THE OFFICE OF THE NYE COUNTY RECORDERS,
NYE COUNTY, NEVADA

7. Use will begin about January 1st and end about December 31st of each year.
Month and Day Month and Day

8. Description of proposed works (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) EXISTING WORKS; DISTRIBUTION SYSTEM, 8" WELL
State manner in which water is to be diverted, i.e. diversion structure.
CASING, SUBMERSIBLE PUMP, PRESURE TANK AND TOTALIZING METER
diagram and frames, drilled well with pump and motor, etc.

9. Estimated cost of works EXISTING WORKS; DISTRIBUTION SYSTEM, WELL AND METER

10. Estimated time required to construct works EXISTING WORKS 1-YEAR TO FILE COMPLETION OF WORKS
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5-YEARS

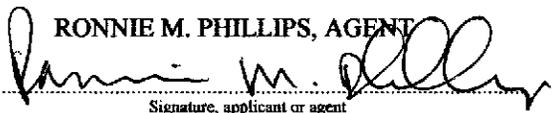
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

THIS EXISTING SYSTEM PROVIDES WATER TO ONE (1) 1000 S.F. BLDG. (PRINTING SHOP), ONE (1) 1600
S.F. BLDG. (RETAIL BUS.) ,ONE (1) NEW 600 S.F. BLDG. PROPOSED RETAIL BUS., ONE (1) PROPOSED
2000 S.F. BLDG. RETAIL BUS. AND A 10,000 GAL. WATER TANK FOR FIRE PROTECTION . SEE ATTACHED
FIXTURE COUNT AND NYE COUNTY ZONING DOCUMENTS.

TELEPHONE NUMBER

1-775-751-1413

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

By RONNIE M. PHILLIPS, AGENT

Signature, applicant or agent

1240 E. STATE STREET, SUITE # 101
Street and No., or P.O. Box No.
PAHRUMP, NEVADA 89048
City, State, Zip code No.

STATE ENGINEERS OFFICE
2007 OCT 22 PM 1:48
RECEIVED
\$250 FILING FEE MUST ACCOMPANY APPLICATION

Civilwise Service, LLC
 By: Ron Phillips
 (755) 751-1413

Date: 10/16/2007
 Job No. 1007-09
 Use: COMMERCIAL
 Client: DON DIAL

Water Rights Application

<u>Fixture Count</u>	<u>Private Use</u>			<u>Public Use</u>		
	No. of Fixtures	Use Multiplier	Fixture x Multiplier	No. of Fixtures	Use Multiplier	Fixture x Multiplier
Coffee Maker		1	0		1	0
Drinking Fountain		1	0		1	0
Ice Maker		3	0		8	0
Dishwasher-Commercial		8	0		15	0
Dishwasher-Residential		2	0		4	0
Disposal-Commercial		5	0		10	0
Disposal-Residential		2	0		4	0
Laundry Machine-Commercial		25	0		50	0
Laundry Machine-Residential		2	0		14	0
Laundry Tub/Tray		2	0		4	0
Lavatory Sink		1	0	6	2	12
Sink Kitchen		2	0		4	0
Sink Service		2	0	3	4	12
Sink Wash		1	0	1	2	2
Sink Bar		1	0		2	0
Bath/Shower		1	0		2	0
Urinal		1	0		1.5	0
Water Closet		1.5	0	6	2.5	15
Floor Sink		2	0	1	4	4
Hose Bib		3	0	10	5	50
Car Wash Stall		8	0		45	0
		Sub Total	0		Sub Total	95
		X 15	0		X 15	1425

Additional gallons for dust control, landscaping, swamp coolers, etc.

375

Remarks:
 Water for desert landscaping provided for in hose bib allocation.

Total(GPD) 1800
(A.F.A.) 2.0196