



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: WENDOVER PROJECT, LLC AND STAR LIVING TRUST
Source: UNDERGROUND
Basin: GOSHUTE VALLEY
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 09/14/1979

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 of the waters of an underground source as heretofore granted under Permit 58146 is issued subject to the terms and conditions imposed in said Permit 58146 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water under Permits 58142, 58143, 58144, 58145, 58147, 58148 and 77360 shall not exceed 12,680.37 acre-feet annually for the irrigation of 3,441.24 acres within the described place of use.

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 2)

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 2.37 cubic feet per second or 560.0 acre-feet annually.

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

November 13, 2010

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

November 13, 2014

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

November 13, 2014

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of November, A.D. 2009

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office SEP 10 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed OCT 27 1992 under 58142

The applicant Wendover Project, LLC (91.67% udi) and The Star Living Trust (8.33% udi)

P.O. Box 81624 of Las Vegas
Street Address or P.O. Box City or Town

Nevada 89180-1624, hereby make(s) application for permission to change the
State and Zip Code

Point of diversion Place of use Manner of use of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 58146

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 2.37 cfs, not to exceed 560 acre-feet annually
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use.

4. The water heretofore used for Irrigation
If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
NW 1/4 SE 1/4, Section 3, T.35N., R.66E., M.D.B. & M., or at a point from which the S 1/4 Corner of said Section 3 bears S. 03° 00' W., a distance of 1991 feet. (Please refer to map on file under Permit 58142 for proposed point of diversion).

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
SW 1/4 NW 1/4, Section 22, T.36N., R.66E., M.D.B. & M. or at a point from which the SW Corner of said Section 22 bears S. 18° 54' 47" W, a distance of 3246.76 feet (Please refer to map on file under Permit 58142 for existing point of diversion).

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Please refer to Attachment "A"

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

Unchanged

9. Proposed use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

Existing drilled & Cased well equipped with a motor, pump, meter and distribution system

12. Estimated cost of works \$600,000.00

13. Estimated time required to construct works Completed, See Permit 58147
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Five (5) years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

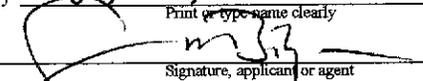
This application is being filed to transfer water to an existing production well completed under Permit 58147. Water will be commingled in whole or in part with water under Permits 58142, 58143, 58144, 58145, 58147 and 58148. The total combined duty of this application and Permits 58142, 58143, 58144, 58145, 58147 and 58148 will not exceed 13,720.37 acre-feet annually for the irrigation of 3,594.39 acres.

16. Miscellaneous remarks:

(775) 352-7800
Phone No.

gregb@tecreno.com
E-mail

By Gregory M. Bilyeu
Print or type name clearly


Signature, applicant or agent

TEC Civil Engineering Consultants
Company Name

9480 Double Diamond Parkway, Suite 200
Street Address or P.O. Box

Reno, NV 89521
City, State, Zip Code

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

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Attachment "A"

7. Proposed Place of Use

T.35N., R.66E., M.D.B. & M.

Section 2: W ½

Section 3: E ½

T.36N., R.66E., M.D.B. & M.

Section 22: S ½

Section 23: All

Section 25: All

Section 26: W ½ W ½

Section 27: All

Section 28: SE ¼, SE ¼ NE ¼

Section 33: E ½

Section 34: All

Section 35: All

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STATE ENGINEERS OFFICE