



THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: WILIAM H. HERNSTADT
Source: UNDERGROUND
Basin: AMARGOSA DESERT
Manner of Use: COMMERCIAL AND DOMESTIC
Period of Use: JANUARY 1ST TO DECEMBER 31ST
Priority Date: 12/06/1954

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 a portion of the waters of an underground source as heretofore granted under Permit 42171 is issued subject to the terms and conditions imposed in said Permit 42171 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.

The Permittee shall keep monthly records of the amount of water pumped from this well and the records must be 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 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If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.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 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 0.048 cubic feet per second or 35.0 acre-feet annually.**

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

April 6 2013

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

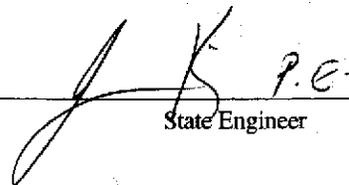
April 6 2015

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

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 6th day of April, A.D. 2011



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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 OCT 02 2008
Returned to applicant for correction
Corrected application filed Map filed OCT. 19, 1960 under 18726

The applicant WILLIAM H. HERNSTADT

P.O. BOX 96 of AMARGOSA VALLEY
NEVADA 89020, hereby make(s) application for permission to change the

[x] Point of diversion [x] Place of use [x] Manner of use [x] 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 Number # 42171

- 1. The source of water is UNDERGROUND SOURCE
2. The amount of water to be changed 0.048 CFS 35.00 AFA
3. The water to be used for COMMERCIAL USE
4. The water heretofore used for IRRIGATION USE AND DOMESTIC
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.)
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

PER EMAIL
10/7/08
WHR

Z30-NY

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

within the NE 1/4 of Section 15, T. 16 S., R. 49 E., M.D.B. & M., Nye County, Nevada being the NE 1/4 of the NE 1/4 and the S1/2 of the NE 1/4 of said Section 15, also known as A.P.N. # 19-161-04, per Nye County, Nevada. See existing D.W.R. map A.O.F. for Permit # 18726

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.)

within the S 1/2 of the SE 1/4 of Section 8, T. 16 S., R. 48 E., M.D.B. & M., being a portion of the SE 1/4 of the SE 1/4 and the S1/2 of the SW 1/4 of the SE 1/4 and the NW 1/4 of the SW 1/4 of the SE 1/4 of said Section 8, Nye County, Nevada.

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.)

Ex well 12" Casing & Prop'd Sub pump motor, storage tank, totalizing meter and distribution system

12. Estimated cost of works \$30,000.00 dollars

13. Estimated time required to construct works 2 Years Same as Item # 11
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 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.)

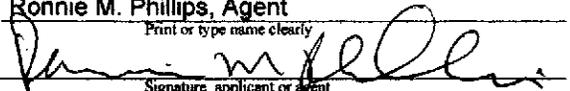
Proposed large commercial center consisting of several retail business, storage units, misl. stores, retail outlets and proposed motel site. Additional water may be required in the future and will be obtained as needed. Planning and engineering is still in progress and will be submitted to the proper governmental agencies when completed.

16. Miscellaneous remarks:

1-775-727-1940
Phone No.

rphillips@pahump.com
E-mail

By Ronnie M. Phillips, Agent
Print or type name clearly


Signature, applicant or agent

Triangle Surveying, Inc.
Company Name

P.O. Box 550
Street Address or P.O. Box

Pahump, Nevada 89048
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

RECEIVED

OCT 02 2008

STATE ENGINEER'S OFFICE