



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: THE ERNEST A. BECKER, IV
AND KATHLEEN C. BECKER TRUST

Source: UNDERGROUND

Basin: LAS VEGAS VALLEY

Manner of Use: COMMERCIAL

Period of Use: January 1st to December 31st

Priority Date: 04/05/1943

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 71367 is issued subject to the terms and conditions imposed in said Permit 71367 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 total combined duty of water under Permits 54492 (revocable) and 77544, having the same point of diversion and place of use, shall not exceed 0.512 cubic feet per second and 8.0 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If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

This permit is issued for commercial purposes on the parcels identified by the Clark County Assessor as APN's 176-22-501-021 (3.88 acres) and 176-22-601-025 (1.26 acres).

(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 0.0123 cubic feet per second or 6.16 acre-feet annually.**

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

September 3, 2010

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

September 3, 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 September, 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 OCT 29 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed APR 02 1990 under 54492

The applicant The Ernest A. Becker IV and Kathleen C. Becker Trust
8090 S. Durango Drive, Suite 115 of Las Vegas
Street Address or P.O. Box City or Town
Nevada 89113, 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 71367

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.0123 c.f.s., not to exceed 6.16 A.F.A.
Second feet, acre-feet One second foot equals 448.83 gallons per minute.
3. The water to be used for Commercial
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 Quasi-Municipal
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.)
~~NE 1/4 SE 1/4 NE 1/4 NE 1/4 of Section 22, T. 22 S., R. 60 E., M.D.M., or at a point from which the N 1/4 corner of said Section 22 bears North 75° 49' 59" West a distance of 2,198.15 feet.~~
See supporting map on file under Permit 54492.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
NE 1/4 SE 1/4 of Section 22, T. 19 S., R. 60 E., M.D.M., or at a point from which the SE corner of said Section 22 bears South 36° 57' 00" East a distance of 2,115.0 feet.
See supporting map filed under Permit 71367.

*PER
PACIFIC
CALL
BRUCE
SCOTT
11/3/08*

2/2/08

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

Within a portion of the SE¼ NE¼ NE¼ and a portion of the NE¼ SE¼ NE¼ of Section 22, T. 22 S., R. 60 E., M.D.M., Clark County, Nevada.
See supporting map on file under Permit 54492.

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.)

1.55 acres within the SW¼ NE¼ SE¼ of Section 22, T. 19 S., R. 60 E., M.D.M., (APN 125-22-702-007). See supporting map on file under Permit 71367.

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.)

Drilled well with pump, motor, and storage tank

12. Estimated cost of works Completed

13. Estimated time required to construct works Existing - See Well Log #37731 and POC under 54492
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.)

This commercial site was originally planned to include a convenience store, bar, and retail shops. The place of use currently includes a convenience store with plans to build a fast food restaurant. The Permittee has found that the convenience store alone is in need of additional water to sustain operations and this Application to Change will provide the necessary duty to be in conformance with the current usage.

16. Miscellaneous remarks:

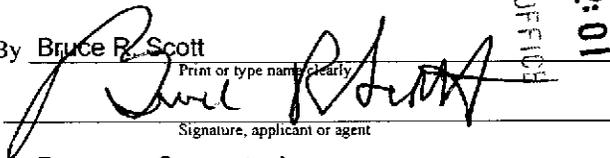
(775) 883-1600

Phone No.

E-mail

By Bruce R. Scott

Print or type name clearly



Signature, applicant or agent

Resource Concepts, Inc.

Company Name

340 N. Minnesota St.

Street Address or P.O. Box

Carson City, NV 89703

City, State, Zip Code

RECEIVED
2008 OCT 29 PM 12:01
STATE ENGINEERS OFFICE

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

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION