

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: E-T-T ENTERPRISES, LLC
 Source: UNDERGROUND
 Basin: PAHRUMP VALLEY
 Manner of Use: COMMERCIAL
 Period of Use: January 1st to December 31st
 Priority Date: 12/30/1958

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 65086 is issued subject to the terms and conditions imposed in said Permit 65086 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 total combined duty of water under Permits 78717, 78718, and 78719, being fully supplemental, shall not exceed 31.0 acre-feet annually.

The total combined duty of water under Permits 78716 and 78717, having the same point of diversion, shall not exceed 0.568 cubic feet per second and 106.0 acre-feet annually.

The total combined duty of water under Permits 78716, 78717, 78718, 78719, and 78720, having the same place of use, shall not exceed 131.0 acre-feet annually.

(Continued on Page 2)

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If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.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 parcel identified by the Nye County Assessor as APN 44-531-05.

The issuance of Permit 78716 simultaneously expires Temporary Permit 78359T.

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 0.512 cubic feet per second or 75.0 acre-feet annually.**

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

February 10, 2011

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

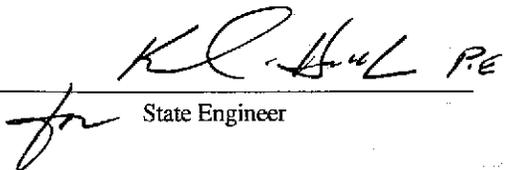
February 10, 2013

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 10th day of February, A.D. 2010



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 JUL 09 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 09 2009

The applicant E-T-T Enterprises, L.L.C.

3440 West Russell Road of Las Vegas
Street Address or P.O. Box City or Town

Nevada 89118, 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 No. 65086

1. The source of water is underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.512 cfs and 75.0 afa
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for commercial and domestic
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 commercial and domestic
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.)
SE 1/4, SE 1/4, Section 12, Township 21 South, Range 53 East, MDM, Nye County, Nevada, from which the Southeast corner of said Section 12 bears South 02° 28' 01" East, a distance of 1,270.97 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
SE 1/4, SE 1/4, Section 12, Township 21 South, Range 53 East, MDM, Nye County, Nevada, from which the Southeast corner of said Section 12 bears South 29° 20' 58" East, a distance of 550.28 feet.

162-114

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

Same as permit 65086

see attached exhibit

REF

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.)

Permit 65086

see attached exhibit

REF

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.)
Diversion from an existing 8.6 inch well (log 77190) with operating pump and distribution system

12. Estimated cost of works \$1,000

13. Estimated time required to construct works ready for immediate start up; see attached log 77190
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use two 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.)
see attached sheet

16. Miscellaneous remarks:

702-293-5273
Phone No.

rjonson@aol.com
E-mail

By R. J. Johnson
Print or type name clearly


Signature, applicant or agent

Company Name

948 Keys Drive
Street Address or P.O. Box

Boulder City, Nevada 89005
City, State, Zip Code

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

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Change application
Under permit number 65086

78716

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

Portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 21 South, Range 53 East, MDB&M, Nye County, Nevada, as set forth on the accompanying map. A.P.N. #44-531-05. (Same as the existing place of use)

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

Portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, Township 21 South, Range 53 East, MDB&M, Nye County, Nevada. A.P.N. #44-531-05.

STATE ENGINEER

JUL 14 2009

FACSIMILE RCVD

15. Continued

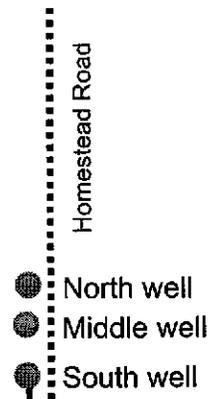
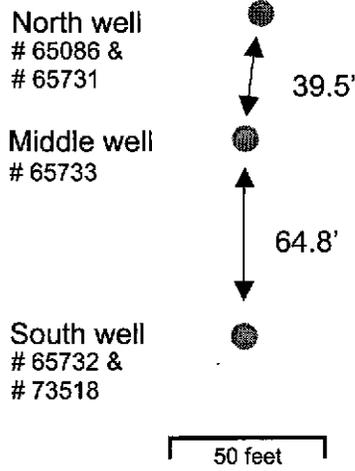
This change application under permit number 65086 is submitted for E-T-T Enterprises, L.L.C., (ETT), owner of the Lakeside Casino and RV Park, to come into compliance with NDWR regulations. A temporary change application (#78359-T) was approved under this same permit (#65086) on June 15, 2009, subject to payment of fees and the signature of the State Engineer. This change application, as with the temporary change application (#78359-T), is only for changing the point of diversion as the place of use and manner of use would remain unchanged.

ETT owns the North well and the property that surrounds the North well (APN# 44-531-05); the subject of this change application (refer to the attached map and well log that were submitted with the temporary change application for the location and construction parameters of the North well). This well currently supplies water to the Lakeside Casino and RV Park. Moreover, a change application under permit number 65731 is also being submitted for use of the North well.

In addition to the North well, ETT owns two nearby wells (Middle well and South well) and the property that surrounds these two wells. These two wells currently supply water to the Lakeside Casino and RV Park and are subject of change applications under permit numbers 65732, 65733, and 73518.

Please note that this change application is associated with one of five permits: 65086, 65731, 65732, 65733, and 73518; these permits have a total combined duty of 131.0 afa.

TEMPORARY POINT OF DIVERSION
 CHANGES UNDER PERMIT NUMBERS
 65086, 65731, 65732, 65733, AND 73518



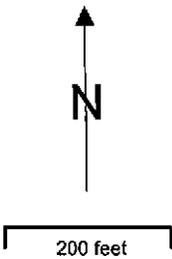
Temporary Point of Diversion to
 found plastic survey cap

North well: S 02° 02' E, 1,272 feet

Middle well: S 02° 13' E, 1,237 feet

South well: S 02° 30' E, 1,169 feet

Basis of Bearing: East line of SE 1/4, Section 12, T. 21 S., R. 53 E., MDM and
 center line of Homestead Road S 00°23'59" E (per permit 73518 map)



SE 1/4, SE 1/4, Section 12, T. 21 S., R. 53 E., MDM

Thousandaire Blvd.

Found plastic survey cap,
 no visible markings

