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:	**04/04/1946**

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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 73518 is issued subject to the terms and conditions imposed in said Permit 73518 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 78718 and 78720, having the same point of diversion, shall not exceed 0.132 cubic feet per second and 56.0 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 78720 simultaneously expires Temporary Permit 78363T.

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 0.0525 cubic feet per second or 25.0 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**

K. Hall P.E.
for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Application No. 78720

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 0 9 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 0 9 2009 under 7 8 7 1 6

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

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

Nevada 89118 (State and Zip Code), hereby make(s) application for permission to change the

☒ 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. 73518

1. The source of water is underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 0.0525 cfs and 25 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° 52' 57" East, a distance of 1,167.44 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 40° 43' 48" East, a distance of 1,644.04 feet.

162-64

78720

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

Same as permit 73518

see attached exhibit

REL

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 73518

see attached exhibit

REL

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

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

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 5 inch well (log 76954) 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 logs 48644 & 76954 (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.

rjjonson@aol.com
E-mail

By R. J. Johnson
Print or type name clearly

R. J. Johnson
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

78720

Change application
Under permit number 73518

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

Portion of the SE ¼ SE ¼, 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 ¼ SE ¼, 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 73518 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 (#78363-T) was approved under this same permit (#73518) 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 (#78363-T), is only for changing the point of diversion as the place of use and manner of use would remain unchanged.

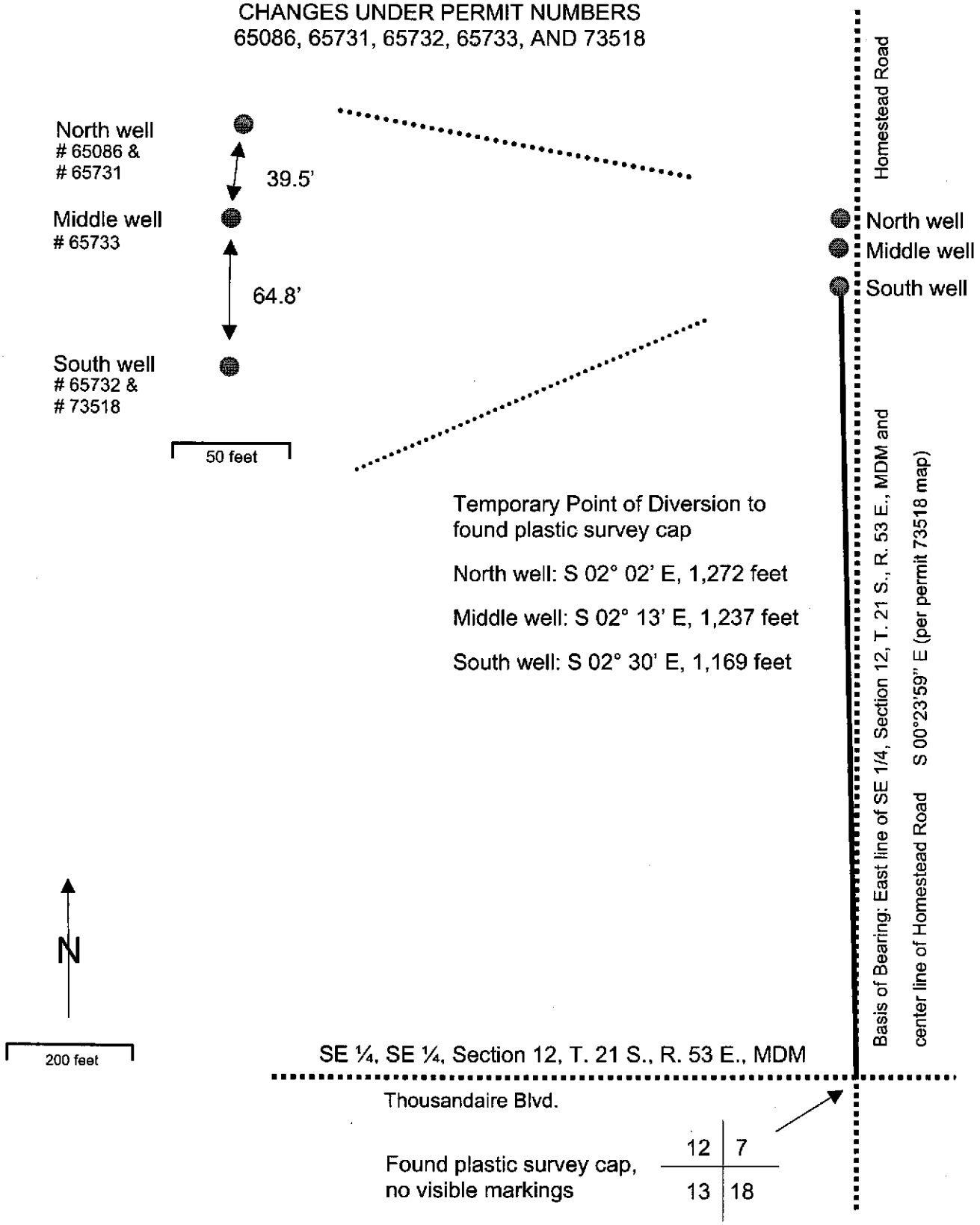
ETT owns the South well and the property that surrounds the South well (APN# 44-531-05); the subject of this change application (refer to the attached map and well logs that were submitted with the temporary change application for the location and construction parameters of the South well). This well currently supplies water to the Lakeside Casino and RV Park. Moreover, a change application under permit number 65732 is also being submitted for use of the South well.

In addition to the South well, ETT owns two nearby wells (North well and Middle 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 65086, 65731, and 65733.

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.

78720

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