



## THE STATE OF NEVADA

### PERMIT TO APPROPRIATE WATER

**Name of Permittee:** BOWMAN CANYON, LLC  
**Source:** DEER CREEK SPRING  
**Basin:** PAHRUMP VALLEY  
**Manner of Use:** POWER  
**Period of Use:** JANUARY 1ST TO DECEMBER 31ST  
**Priority Date:** 10/29/2009

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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 is issued subject to all existing rights on the source and with the understanding that all of the water herein granted will be returned to the stream at the point designated in the application, free from deleterious matter, and with the further understanding that the proof of beneficial use, when filed, will show the power generated and the amount of water required and used therefore. The State retains the right to regulate the use of the water herein granted at any and all times.

The issuance of this permit requires the construction of a collection box to collect and measure all of the spring discharge. Monthly records of the spring discharge must be kept and the records 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 Permit 26361, Certificate 13627; Permits 57713, 78996, 78997, 78998, and 78999, being owned by Bowman Canyon LLC, shall not exceed 5.629 cubic feet per second and 193.64 acre-feet annually.

This permit is subject to the condition that the permittee must ensure that wildlife which has customarily used such water will have access thereto, NRS 533.367.

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 or any water is not put to beneficial use, it will revert to the Deer Spring source and not back to the base water right.

This permit is issued for non-consumptive power generation within the described place of use, further identified by the Nye County Assessor as APN's 134-27-601-014 and 134-27-601-015.

It is understood that the amount of water herein granted is limited to the amount of water actually produced by the spring, and no rights in excess of that amount are implied or inferred.

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 5.6 cubic feet per second, but not to exceed 193.64 acre-feet annually.

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

July 18 2012

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

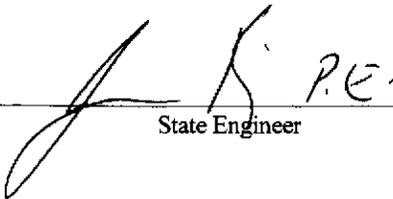
July 18 2014

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 18th day of July, A.D. 2011

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

**APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA**

|   |  |
|---|--|
| THIS SPACE FOR OFFICE USE ONLY            |  |
| Date of Filing in State Engineer's Office | <u>OCT 29 2009</u>   |
| Returned to applicant for correction      | <u>NOV 10 2009</u>   |
| Corrected Application filed               | <u>NOV 20 2009</u> Map filed <u>JAN 08 1970</u> under <u>25422</u> |

Bowman Canyon, LLC

The applicant \_\_\_\_\_  
 1705 S. 14th St. \_\_\_\_\_ of Las Vegas \_\_\_\_\_  
Street Address or P.O. Box City or Town  
 Nevada 89104 \_\_\_\_\_ hereby make(s) application for permission to appropriate the  
State and ZIP Code

public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

Bowman Canyon, LLC is a Nevada limited liability company chartered on June 16, 1996.

1. The source of water is Deer Creek Spring  
Name of the stream, lake, underground, spring or other sources.
2. The amount of water applied for is 6 second feet  
One second foot equals 448.83 gallons per minute.
  - (a) If stored in a reservoir give the number of acre-feet \_\_\_\_\_
3. The water is to be used for Power  
Irrigation, power, mining, commercial, domestic or other use. Must be limited to one major use.
4. If use is for:
  - (a) Irrigation, state number of acres to be irrigated \_\_\_\_\_
  - (b) Stockwater, state number and kind of animals \_\_\_\_\_
  - (c) Other use (describe fully in No. 12) \_\_\_\_\_
  - (d) Power:
    - (1) Horsepower developed 13.4 HP (10 KW)
    - (2) Point of return of water to stream At the point of generation as indicated on accompanying application map.

162-cl

5. The water is to be diverted from its source 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 so stated.)

NW1/4 SW1/4, SECTION 10, T.20S., R.56E., M.D.B.&M, CLARK COUNTY NEVADA, OR AT A POINT FROM WHICH THE SW CORNER OF SAID SECTION 10 BEARS S30°42'30"W, AT A DISTANCE OF 2500.65'.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

A PORTION IN SW1/4 NE1/4, SECTION 27, T.20S., R.56E., M.D.B.&M.; APN: 134-27-601-014 AND 134-27-601-015.

7. Use will begin about January 1 and end about December 31 of each year.  
Month and Day Month and Day

8. Description of proposed works. (Under the provisions 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 and flumes, drilled well with a pump and motor, etc.)

Water lines and appurtenances; in-line power generator.

9. Estimated cost of works: \$30,000

10. Estimated time required to construct works: three (3) years - existing and new water lines  
(If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: five (5) years

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

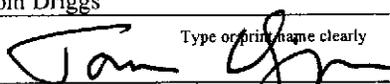
The proposed project will use the water to generate power through an in-line generator.

13. Miscellaneous remarks:

RECEIVED  
 OCT 29 PM 1:29  
 STATE ENGINEER'S OFFICE

tdriggs@nevadafirm.com  
E-mail Address  
702-791-0308  
Phone No.

APPLICATION MUST BE SIGNED  
 BY THE APPLICANT OR AGENT

Tom Driggs  
Type or print name clearly  
  
Signature, applicant or agent  
Santoro, Driggs, Walch et al.  
Company Name  
400 S. Fourth St., 3rd Floor  
Street Address or PO Box  
Las Vegas, NV 89101  
City, State, ZIP Code