

THE STATE OF NEVADA

**APPLICATION TO CHANGE THE PUBLIC WATERS OF
THE STATE OF NEVADA HERETOFORE
APPROPRIATED**

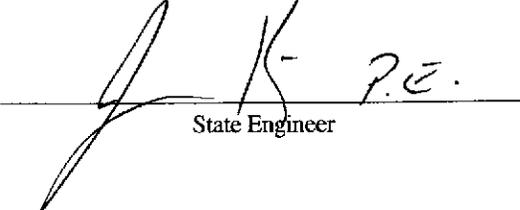
Name of applicant: STAR LIVING TRUST; WENDOVER PROJECT LLC
Source: UNDERGROUND
Basin: GOSHUTE VALLEY
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 09/14/1979

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that its issuance would conflict with existing rights and would threaten to prove detrimental to the public interest.

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

State Engineer of Nevada, have hereunto set my hand and the
seal of my office, this 17th day of March, A.D. 2011


State Engineer

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 12 2010

Returned to applicant for correction _____

Corrected application filed _____ Map filed OCT 12 2010 under 80197

The applicant Wendover Project, LLC and The Star Living Trust
P.O. Box 81624 of Las Vegas
Street Address or PO Box City or Town
Nevada 89180-1624 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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)
Permit 77360

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 2.37 cfs not to exceed 560 acre-feet annually
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation Municipal Purposes ~~10/14/2010~~ per letter from agent
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 Municipal Purposes Irrigation ~~10/14/2010~~
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.)
Lot 4 (SW 1/4 SW 1/4) Section 7, T.35N., R.68E., M.D.B. & M., or at a point from which the SW Corner of said Section 7 bears S. 45° 00' 00" W., a distance of 300.00 feet. Please refer to map accompanying this application

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
NW 1/4 SE 1/4, Section 3, T.35N., R.66E., M.D.B. & M. or at a point from which the South 1/4 Corner of said Section 3 bears S. 3° 00' W., a distance of 1991.00 feet. Please refer to map filed under Permit 58142 for existing point of diversion

187-EL

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

Refer to Attachment "A" and map accompanying this Application

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.)

3441.24 acres within the following: T.35N., R.66E., M.D.B. & M.: W 1/2, Section 2, E 1/2, Section 3; T.35N., R.66E., M.D.B. & M.: S 1/2, Section 22, All of Sections 23 & 25, W 1/2 W 1/2, Section 26, All of Section 27, SE 1/4, SE 1/4 NE 1/4, Section 28, E 1/2, Section 33, All of Sections 34 & 35. The entire place of use is being removed from irrigation. Please refer to map on file under Permit 58142 for existing place of use.

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.)

A drilled and cased well equipped with a motor, pump, meter and existing pipeline to the City of West Wendover, then existing storage tanks and existing and future distribution system within the proposed place of use.

12. Estimated cost of works \$500,000.00

13. Estimated time required to construct works Five (5) Years

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Ten (10) 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.)

Water under this permit is being transferred to serve the future municipal needs of the applicant within the proposed place of use. Applicant will be working with the City of West Wendover to complete a water banking and service agreement whereby this water can be used within the proposed place of use. Applicant reserves the right to amend or change the point of diversion at a future time.

16. Miscellaneous remarks:

The total combined duty of this application and applications to change Permits 58145 and 58147 is not to exceed 1440 acre-feet annually

gregb@tecreno.com
E-mail Address
(775) 352-7800 ext 227
Phone No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Gregory M. Bilyeu

Type or print name clearly

[Signature]
Signature, applicant or agent

TEC CIVIL Engineering Consultants
Company Name

9480 Double Diamond Parkway, Suite 200
Street Address or PO Box

Reno, NV 89521
City, State, ZIP Code

Attachment "A"

7. Proposed Place of Use

Township 32 North, Range 69 East, M.D.B. & M.

Section 1: All
Section 2: All

Township 32 North, Range 70 East, M.D.B. & M.

Section 6: NW $\frac{1}{4}$ NW $\frac{1}{4}$, portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying west of Hwy Alt 93,
Portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$ lying west of Hwy Alt 93, portion of the
W $\frac{1}{2}$ SW $\frac{1}{4}$ lying west Hwy Alt 93

Township 33 North, Range 69 East, M.D.B. & M.

Section 1: All
Section 12: All
Section 25: All
Section 26: E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 35: All
Section 36: All

Township 33 North, Range 70 East, M.D.B. & M.

Sections 7
through 10: All
Sections 15
through 19: All
Section 20: NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, portion of the E $\frac{1}{2}$ NE $\frac{1}{4}$ lying west of Hwy Alt 93,
portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ lying west of Hwy Alt 93, portion of the N $\frac{1}{2}$
SE $\frac{1}{4}$ lying west of Hwy Alt 93, portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying west of
Hwy Alt 93, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ lying
west of Hwy Alt 93
Section 21: Portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ lying west of Hwy Alt 93
Section 29: Portion of the N $\frac{1}{2}$ NW $\frac{1}{4}$, lying west of Hwy Alt 93, portion of the SW $\frac{1}{4}$
NW $\frac{1}{4}$ lying west of Hwy Alt 93, portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ lying west
of Hwy Alt 93
Section 30: N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ lying west of Hwy Alt
93
Section 31: NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, portion of the E $\frac{1}{2}$ SW $\frac{1}{4}$ lying west of Hwy Alt 93,
portion of the W $\frac{1}{2}$ NE $\frac{1}{4}$ lying west of Hwy Alt 93, portion of the NW $\frac{1}{4}$
SE $\frac{1}{4}$ lying west of Hwy 93