THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:	**PICK & SHOVEL INVESTMENTS, LLC**
Source:	**UNDERGROUND**
Basin:	**AMARGOSA DESERT**
Manner of Use:	**COMMERCIAL**
Period of Use:	**JANUARY 1ST TO DECEMBER 31ST**
Priority Date:	**02/05/1974**

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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, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 45061 is issued subject to the terms and conditions imposed in said Permit 45061 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water 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 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 groundwater source and not back to the base water right.

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 0.035 cubic feet per second or 5.6 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**January** 19 **2014**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**January** 19 **2017**
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 19th day of **January,** A.D. **2012**

for K. Hull P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

81048

Application No. _____

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 AUG 0 5 2011

Returned to applicant for correction _____

Corrected application filed _____ Map filed AUG 0 5 2011

The applicant Pick & Shovel Investments, LLC

P.O. Box 96026 (Street Address or PO Box) of Las Vegas (City or Town)

Nevada, 89193-6026 (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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit No. 45061

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

2. The amount of water to be changed 0.035 C.F.S 5.60 AFA
   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 + Domestic
   If for stock, state number and kind of animals.

AUE

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.)

Within Lot 34 of the Little Nevada Subdivision, Lying within the Southeast Quarter (SE 1/4) of the Southwest Quarter (SW1/4) of Section 2, Township 18 South, Range 49 East, M.D.B.&M., Nye County, Nevada or at a point to which the Southeast Corner of said Section 2 bears South 80°08'06" East, a distance of 3,218.11 feet.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

SE1/4, SW1/4, S2,, T18S, R49E, M.D.B.&M., or at a point from which the closing corner section 2-11, T18S, R49E, M.D.B.&M., bears S 87°, 38', 00" W. , 1076.29 feet.

230-

81043

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

A portion of the Little Nevada Subdivision as recorded as Document No. 40753 in the office of the Nye County Recorders, being Lot 6, Lot 32, Lot 33, Lot 34 & Lot 35 lying in the Southeast Quarter (SE1/4) of the Southwest Quarter (SW1/4) of Section 2, Township 18 South, Range 49 East, M.D.M., Nye County, Nevada.

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.)

(Lot 7)

SW 1/4 SE 1/4, SE 1/4 SW 1/4, portion SW 1/4 SW 1/4, S 2, T 18S, R49E; and NW 1/4 NE 1/4, portion NE 1/4 Nw 1/4, S 11, T 18S, R 49E; all M.D.B.&M.

KG

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.

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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.)

Drill Well, pump and motor and 500 gallon storage tank, install pipe line to Lot 6 across Clark Street with approved encroachment permit from Nye County.

12. Estimated cost of works $30,000

13. Estimated time required to construct works 2 years

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.)

Water to be used to supply existing Restaurant and Bar located on Lot 6, and for future Motel to be located on Lots 32, 33, 34 & 35.

16. Miscellaneous remarks:

Water for existing Restaurant and Bar located on Lot 6 is being provided by Tim Jacobs thru the Little Nevada Non-Public Water System. Lots 6, 32, 33, 34 & 35 are wet lots and are permitted by No. 45061 at 1.12 AFA each. Intent is to be removed fro Jacobs Service.

Robert L. Carrington, PLS/WRS
Type or print name clearly

Robert@DB-LS.com
E-mail Address

Signature, applicant or agent

702-340-8649
Phone No. Ext.

Diamondback Land Surveying
Company Name

2980 S. Rainbow Blvd. Suite 210 C & D
Street Address or PO Box

Las Vegas, Nevada 89146
City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09

$200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION