



## THE STATE OF NEVADA

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

**Name of Permittee:** TESTAMENTARY TRUST OF LONNIE TED BINION  
**Source:** UNDERGROUND  
**Basin:** PAHRUMP VALLEY  
**Manner of Use:** IRRIGATION  
**Period of Use:** JANUARY 1ST THROUGH DECEMBER 31ST  
**Priority Date:** 10/21/1948

\*\*\*\*\*

#### 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 and place of use of a portion of the waters of an underground source as heretofore granted under Permit 15816, Certificate 4331 is issued subject to the terms and conditions imposed in said Permit 15816, Certificate 4331 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 total combined duty of water under Permits 82052, 82053, 82055, 82056 and 82057, having the same place of use, shall not exceed 89.425 acre-feet annually.

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.

This permit is issued for irrigation and domestic purposes within the described place of use, further identified as Nye County Assessor APN 35-311-02.

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 0.045 cubic feet per second or 15.0 acre-feet annually.**

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

December 27 2013

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

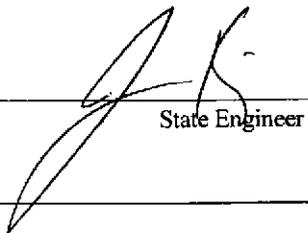
December 27 2015

Map in support of proof of beneficial use shall be filed on or before:

December 27 2015

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27<sup>th</sup> day of **December, 2012**

 P.E.  
\_\_\_\_\_  
State Engineer

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

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

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

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

**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 14 2012

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed AUG 14 2012

The applicant Testamentary Trust of Lonnie Ted Binion  
3605 South Town Center, Suite A of Las Vegas  
Street Address or PO Box City or Town  
Nevada 89135 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 15816 (Cert 4331)

1. The source of water is underground  
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.045 cfs; 15 afa  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for irrigation 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 irrigation 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.)  
SW1/4 NE1/4 Sec. 15, T.20S., R.53E., M.D.B.&M., or at a point from which the E1/4 corner of said Sec. 15 bears S. 60° 54' E., 2,254 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
SE1/4 NE1/4 Sec. 15, T.20S., R.53E., M.D.B.&M., or at a point from which the E1/4 corner of said Sec. 15 bears S. 84° 00' E., 1,047 feet. See map filed in Permit 15816.

162-114

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

34.82 acres within SE1/4 NE1/4 and 36.78 acres within SW1/4 NE1/4, Sec. 15, T.20S., R.53E., M.D.B.&M. APN 35-311-02. Place of use of Permit 69083 is not a part.

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.)

2.82 acres within SE1/4 NE1/4 and 3.745 acres within SW1/4 NE1/4, Sec. 15, T.20S., R.53E., M.D.B.&M. APN 35-311-02. Entire place of use of Permit 15816 is being changed by related applications.

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.)

Well, pump and appurtenances

12. Estimated cost of works \$10,000

13. Estimated time required to construct works Well Log Nos. 68452 & 83632

If well completed, describe well.

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

Application proposes to reapportion water use of historic farming operations to match current farming operations, domestic uses, and a small number of farm animals consisting of 3 horses, 5 cows, 1 bull, and chickens.

16. Miscellaneous remarks:

tdriggs@nevadafirm.com

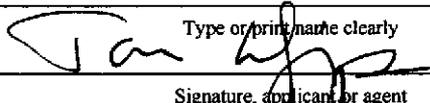
E-mail Address

(702) 791-0308

Phone No.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

Thomas D. Driggs

  
Type or print name clearly

Signature, applicant or agent

Cotton, 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

RECEIVED  
2012 AUG 14 AM 10:30  
STATE ENGINEERS OFFICE

THE STATE OF NEVADA  
CERTIFICATE OF APPROPRIATION OF WATER

WHEREAS, Frank A. Buol has presented to the State Engineer of the State of Nevada Proof of Application of Water to Beneficial Use, from Underground (Pahrump Artesian Basin) through well and ditches for irrigation and domestic purposes. The point of diversion of water from the source is as follows: SE 1/4 NE 1/4 Section 15, T. 20 S., R. 53 E., M.D.B.&M., or at a point from which the E 1/2 corner of said Section 15, bears S. 84° 00' E., 1047 feet. situated in Nye County, State of Nevada.

Now Know YE, That the State Engineer, under the provisions of Section 72, Chapter 46, Statutes of 1937 has determined the date, source, purpose and amount of such appropriation, together with the place to which such water is appurtenant, as follows:

Name of appropriator Frank A. Buol  
Post-office address Pahrump, Nevada  
Amount of appropriation 0.10 c.f.s. or 33 acre feet per annum  
Period of use, from January 1st to December 31st of each year  
Date of priority of appropriation October 21, 1948

Description of place and manner of use:  
3.745 acres in SW 1/4 NE 1/4 Section 15, T. 20 S., R. 53 E., M.D.B.&M.  
2.82 " " SE 1/4 NE 1/4 " " " " "  
6.563 Acres Total

*Handwritten notes:*  
18 AF  
15 AF  
33 AF  
0.10  
0.05

The right to water hereby determined is limited to the amount which can be beneficially used, not to exceed the amount above specified, and the use is restricted to the place where acquired and to the purpose for which acquired.

IN TESTIMONY WHEREOF, I, HUGH A. SHAMBERGER State Engineer

of Nevada, have hereunto set my hand and the seal of my office, this

20th day of FEBRUARY, A. D. 1956

Recorded Feb. 24, 1956 Bk. 9 Page 342

Nye County Records

*Signature of Hugh A. Shamberger*  
State Engineer

Compared AT-EL