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:	**03/03/1960**

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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 place of use of a portion of the waters of an underground source as heretofore granted under Permit 18607, Certificate 5634 is issued subject to the terms and conditions imposed in said Permit 18607, Certificate 5634 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 0.0040 cubic feet per second or 3.0 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 27th day of **December, 2012**

P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Application No. 82057

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 MAR 7 1960 UNDER 18605

The applicant Testamentary Trust of Lonnie Ted Binion

3605 South Town Center, Suite A (Street Address or PO Box) of Las Vegas (City or Town)

Nevada 89135 (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 18607 (Cert 5634)

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

2. The amount of water to be changed 0.004 cfs; 3.0 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 NE corner of said Sec. 15 bears N. 29° 13' E., 2,942 feet. See map filed in Permit 18607.

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

   NA

162-N4

82057

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.)

10 acres within the SW1/4 NE1/4, Sec. 15, T.20S., R.53E., M.D.B.&M. APN 35-311-02. Entire place of use of Permit 18607 is being changed by related applications.

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.)

Well, pump and appurtenances

12. Estimated cost of works $10,000

13. Estimated time required to construct works Well Log No. 2520
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.

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2012 AUG 14 AM 10: 3
STATE ENGINEERS OFFICE

16. Miscellaneous remarks:

Thomas D. Driggs
Type or print name clearly

Tom Driggs
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

tdriggs@nevadafirm.com
E-mail Address

(702) 791-0308
Phone No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09 $200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION