



THE STATE OF NEVADA

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

Name of Permittee: B-PVL2, LLC
Source: UNDERGROUND (MARK BOWMAN WELL)
Basin: PAHRUMP VALLEY
Manner of Use: QUASI-MUNICIPAL
Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST
Priority Date: 11/26/1940

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 and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 59414, Certificate 16497, is issued subject to the terms and conditions imposed in said Permit 59414, Certificate 16497 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. 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 Permit 26510, Certificate 9157, Permit 29941, Certificate 9947, Permits 65105, 65106, 68495, 69248, 69249, 69694, 70408, 70873, 71224, 72108, 73527, 73528, 73553, 73839, 73840, 74029, 74030, 74568, 74931, 74932, 74933, 75696, 75846, 76106, 77990, 77991, 80281, 80282, 80283, 80284, 80285, 80286, 80287, 80288, 80289, 80290, 80291, 80292, 80293, 80294, 80316, 83019, 83171, 83172, 83173, 83174, 83175, 83176, 83177, 83178, 83179, 83180, 83181, 83182, 83183, 83184, 83185, 83186, and 83187, having a commingled place of use, shall not exceed 3635.808 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.

(Continued on Page 2)

The point of diversion and place of use are as described on the submitted application to support this permit.

A total of 215.0 acre-feet annually is abrogated from the base right. However, pursuant to NRS 533.3703 only 207.89 acre-feet (the net consumptive use amount) at 0.306 cubic feet per second can be diverted annually. Additional duty up to the total may be granted if it can be shown that this additional duty will not cause the consumptive use amount to be exceeded.

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

April 18 2015

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

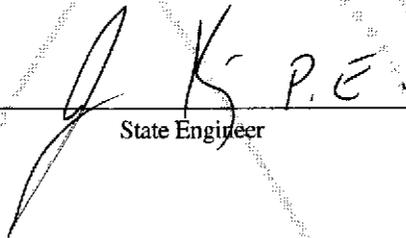
April 18 2019

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

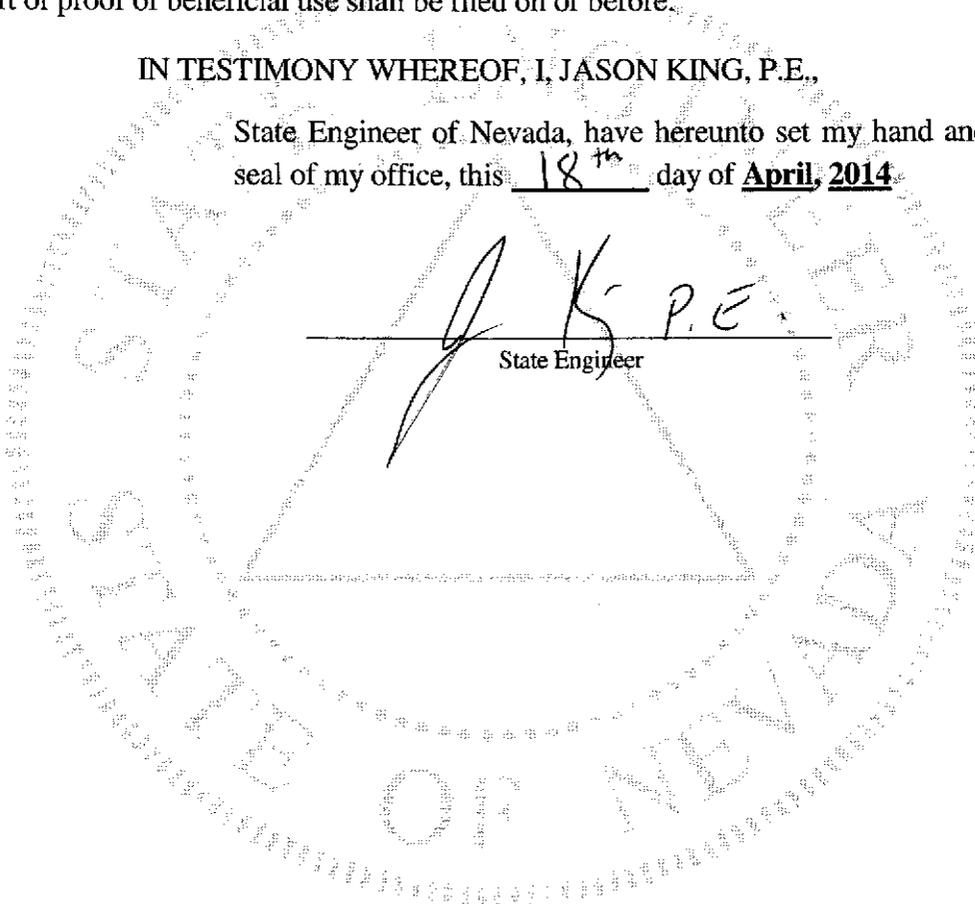
N/A

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 April, 2014.



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 15 2013

Returned to applicant for correction _____

Corrected application filed _____ Map filed Feb 14 2006 under 73527

The applicant B-PVL2, LLC
3455 Cliff Shadows Parkway, Suite 220 of Las Vegas
Street Address or PO Box City or Town
Nevada, 89129 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 59414; Certificate 16497

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- The source of water is Underground
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 0.3059 cfs; 215.00 AFA
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Quasi-Municipal
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
- The water heretofore used for Irrigation
If for stock, state number and kind of animals.
- 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.)
NE 1/4 SE 1/4 Sec. 9, T.21S, R.54E. MDM or at a point from which the SE corner of said Sec. 9 bears South 23°33' 00" East a distance of 1,621.55 feet as shown on the Map to Accompany Proof of Beneficial Use Under Application 59414 filed with the DWR on August 9, 2004 by Mark and Debra Bowman. (Mark Bowman Well)
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

No Change

A.V.
 10-16-2
 Nye

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

Please see the attached.

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.)

Please see the attached.

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 motor feeding into the existing Pahrump Utility Company water system.

12. Estimated cost of works \$150,000

13. Estimated time required to construct works 5 years
If well completed, describe well.

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

A residential project consisting of approximately 230 acres of real property with approximately 1060 lots. The project is anticipated to utilize approximately 950 acre feet annually for developable lots and 85 acre feet annually for common areas.

16. Miscellaneous remarks:

Please see the attached.

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702-789-0911
Phone No. Ext.

Chris Vero
Type or print name clearly
Chris Vero
Signature, applicant or agent
The Law Office of Chris Vero, Chartered
Company Name
PO Box 231419
Street Address or PO Box
Las Vegas, NV 89105
City, State, ZIP Code

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

APPLICATION TO CHANGE PERMIT 59414, CERTIFICATE 16497 ADDITIONAL INFORMATION:**QUESTION 7, PROPOSED PLACE OF USE:**

The Service Area of Pahrump Utility Company, as shown by a map on file under Permits 75690-96 (sheet 1 of 2), being further described as follows:

That real property located in T.21S., R.53E., M.D.B.&M described as follows:

All of Sections 12, 13 and 24.

That real property located in T.21S., R.54E., M.D.B.&M described as follows:

The S $\frac{1}{2}$ Section 3;

A portion SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 4;

That portion NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 11, north of State Highway 160; and
all of Sections 7, 8, 9, 10, 15,16, 17, 18, 19, 20, 21, and 28.

QUESTION 8, EXISTING PLACE OF USE:

A total of 41.58 acres, at a duty of 5.171 acre-feet per acre annually within Section 9 in T21S, R54E, M.D.M., further described as follows:

| Section | Qt. Qt. | Acres | Duty (af/acre) | Acre feet |
|---------|----------------|--------------|-------------------|------------|
| 9 | NW SE | 37.58 | 5.171 | 194.32 |
| 9 | NE SE | 4.0 | 5.171 | 20.68 |
| | Total = | 41.58 | | 215 |

The existing place of use for 37.58 acres in the NW SE S9 is shown on the Map to Accompany Proof of Beneficial Use Under Application 59414 filed with the DWR on August 9, 2004 by Mark and Debra Bowman.

The existing place of use for 4.0 acres in the NE SE S9 is shown on the Map to Accompany Proof of Beneficial Use Under Application 59414 filed with the DWR on August 9, 2004 by Mark and Debra Bowman, being the 4.0 acres that remain in the NE SE S9 after Permit 77990 stripped the easternmost 2.137 acres in the NE SE S9 pursuant to the Stripping Map file with the DWR on February 9, 2009 by Mark and Debra Bowman.

QUESTION 16, ADDITIONAL INFORMATION:**A. DEDICATION TO PAHRUMP UTILITY COMPANY.**

The foregoing water rights are the subject of a dedication agreement to Pahrump Utility Company and will be deeded to Pahrump utility Company upon the receipt of a Quasi-Municipal permit.

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B. WATER RIGHTS DUTY.

Permit 59414 has a duty of 5.171 acre-feet per acre.

C. ERROR IN DWR RECORDS.

An open issue also exists regarding an error in the DWR's online records, which show B-PVL2's ownership as 213 afa. My firm sent an explanation letter to the DWR on August 27, 2013 and is awaiting a resolution.

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