



THE STATE OF NEVADA

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

Name of Permittee: HARRIS 173 LLC
Source: UNDERGROUND
Basin: PAHRUMP VALLEY
Manner of Use: IRRIGATION
Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST
Priority Date: 07/28/1952

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 14458, Certificate 5438, is issued subject to the terms and conditions imposed in said Permit 14458, Certificate 5438 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.

The total combined duty of water under Permits 85453, 85454, and 85455 shall not exceed 173.3 acre-feet annually.

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 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.

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 0.0268 cubic feet per second or 19.401 acre-feet annually.

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

April 27 2017

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

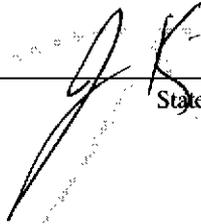
April 27 2019

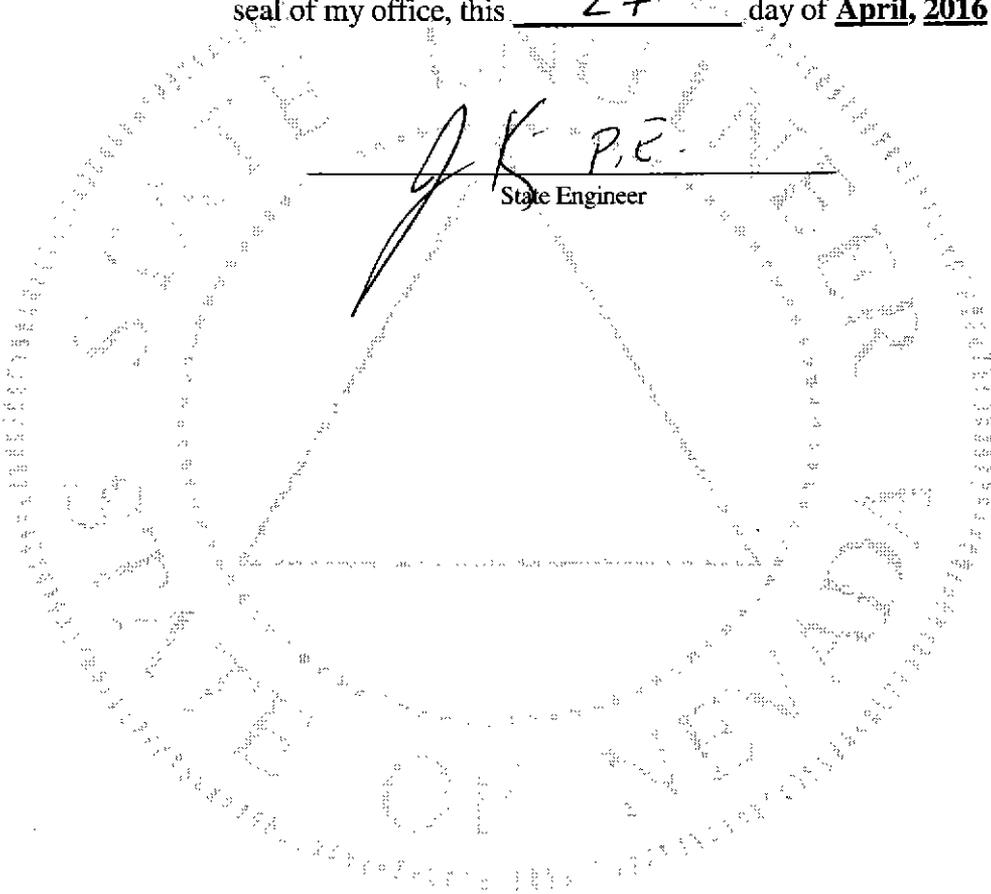
Map in support of proof of beneficial use shall be filed on or before:

April 27 2019

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 April, 2016

 P.E.
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 SEP 22 2015

Returned to applicant for correction _____

Corrected application filed _____ Map filed Nov 1 1946 Under 11535

The applicant Harris 173 LLC
1401 South Highway 160, Suite A of Pahrump
Street Address or PO Box City or Town
NV 89048-4785 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 14458, Certificate 5438

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.027 c.f.s., not to exceed 19.401 AFA
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Irrigation
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
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.)
Within the NE¼NE¼ Section 21, T. 19S., R. 53E., M.D.M., or at a point from which the the NE Corner of said Section 21 bears North 45° East, a distance of 100 feet.
Refer to supporting map on file under Application 11535.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
the NE¼SE¼ Section 4, T. 20S., R. 53E., M.D.M., or at a point from which the E¼ Corner of said Section 4 bears North 14° 03' East, a distance of 103 feet.
Refer to supporting map on file under Application 13958.

*10-162
Nye*

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

34.66 acres within the NW¼, NE¼, SW¼ & SE¼ Section 21, and SW¼ Section 22, T. 19S., R. 53E., M.D.M., being Nye County Assessor Parcels 043-141-12 (559.31 acres in Section 21) and 027-331-26 (60.80 acres in the SW¼ of Section 22). Refer to Sheet 2 of 2 of supporting 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.)

See Attached.

Refer to Sheet 1 of 2 of supporting map accompanying this Application.

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.)

Drilled well, pump, motor, and irrigation distribution system. Well is existing - see Well Logs 2114, 8339, & 41503.

12. Estimated cost of works in excess of \$10,000

13. Estimated time required to construct works Well is existing, 1 year to re-equip and install irrigation system
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.)

The proposed place of use was farmed in the past. Applicant will use water under this permit for irrigation of a cover crop to stabilize the soil and help control dust issues in the area.

16. Miscellaneous remarks:

Applications to Change supplemental Permit 13959, Certificate 5437 and supplemental Permit 6898T are being filed concurrently. The total-combined duty of the three Applications will move 173.3 Acre-feet for the irrigation of 34.66 acres.

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STATE ENGINEER'S OFFICE

rciwater@rci-nv.com
E-mail Address
(775) 883-1600
Phone No. Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Bruce R. Scott
Type or print name clearly
[Signature]
Signature, applicant or agent
Resource Concepts, Inc.
Company Name
340 N. Minnesota Street
Street Address or PO Box
Carson City, Nevada 89703
City, State, ZIP Code

**ATTACHMENT TO APPLICATIONS TO CHANGE PORTIONS OF PERMIT 13959, CERTIFICATE 5437,
PERMIT 14458, CERTIFICATE 5438, AND PERMIT 68981.**

8. EXISTING PLACE OF USE

160 acres in the SW $\frac{1}{4}$ Section 4 and 160 acres in the SE $\frac{1}{4}$ Section 5, T. 20S., R. 53E., M.D.M.

These Applications will remove 34.66 acres under the (3) supplemental permits listed above:

NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 20S., R. 53E., M.D.M.: 40 acres less 8.87 acres removed under Permits 84007, 84008, & 84009. This application will remove 4.06 acres; 27.07 acres to remain.

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 20S., R. 53E., M.D.M.: 40 acres less 1.95 acres removed under Permits 84007, 84008, & 84009. This application will remove 4.03 acres; 34.02 acres to remain.

NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 20S., R. 53E., M.D.M.: 40 acres. This application will remove 4.34 acres; 35.66 acres to remain.

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 20S., R. 53E., M.D.M.: 40 acres. This application will remove 4.50 acres; 35.50 acres to remain.

NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 20S., R. 53E., M.D.M.: 40 acres. This application will remove 4.90 acres; 35.1 acres to remain. (12.85 acres to be removed by Desert Badger LLC and Breaking Badger LLC which will leave 22.25 acres).

SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 20S., R. 53E., M.D.M.: 40 acres less 3.10 acres removed under Permits 84007, 84008, & 84009. This application will remove 4.94 acres; 31.96 acres to remain. (13.34 acres to be removed by Desert Badger LLC and Breaking Badger LLC which will leave 18.62 acres).

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 20S., R. 53E., M.D.M.: 40 acres. This application will remove 4.88 acres; 35.12 acres to remain. (12.34 acres to be removed by Desert Badger LLC and Breaking Badger LLC which will leave 22.78 acres).

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, T. 20S., R. 53E., M.D.M.: 40 acres less 3.0 acres removed under Permits 80838, 80839, & 80840. This application will remove 3.01 acres; 33.99 acres to remain. (14.54 acres to be removed by Desert Badger LLC and Breaking Badger LLC which will leave 19.45 acres).

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