

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

Date of filing in State Engineer's Office OCT 02 2002

Returned to applicant for correction OCT 31 2002

Corrected application filed _____

Map filed MAY 31 1962 under 14241

The applicant **Commercial Federal Bank**, hereby make application for permission to change the **Point of Diversion, Manner and Place of Use** of a portion of water heretofore appropriated under **Permit 23471, Certificate 7775**

1. The source of water is **Underground**
2. The amount of water to be changed **0.527 cfs; 289.0 acre-feet**
3. The water to be used for **Recreation – Golf Course Irrigation**
4. The water heretofore permitted for **Irrigation & Domestic**
5. The water is to be diverted at the following point **NE¼ SE¼ Section 5, T.21S R.54E., MDB&M, or at a point from which the E¼ corner of said Section 5 bears N. 45° E., 70 Feet**
6. The existing permitted point of diversion is located within **NW¼ SE¼ Section 12, T.21S., R.53E., MDB&M, or at a point from which the E¼ corner of said Section 12 bears N. 87°19' E, 1,314 Feet.**
7. Proposed place of use **S½ N½, N½ S½, portion S½ S½ Sec. 4; N½ S½, SE¼ NE¼, portion SW¼ NE¼, portion S½ S½ Sec 5; S½ SE¼, portion N½ SE¼, SE¼ SW¼, portion SW¼ SW¼, portion N½ SW¼, Sec. 6, T.21S., R.54E., M.D.M.**
8. Existing place of use **N½ SE¼ Section 12, T.21S., R.53E., MDB&M (57.8 acres)**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Drilled well, pump and distribution system**
12. Estimated cost of works **\$50,000**
13. Estimated time required to construct works **2 Years**
14. Estimated time required to complete the application of water to beneficial use **5 Years**
15. Remarks: **Use cultural map filed under the Proof of Beneficial Use for Permit 23471 to support the Existing Point of Diversion and Place of Use. Use the map filed under Permit 14241 to support the Proposed Point of Diversion. Proposed and existing Points of Diversion are Pahrump Valley Floor wells. Water is to be used for golf course irrigation.**

By **Brian A. Randall, Resource Concepts, Inc.**
s/Brian A. Randall
340 North Minnesota Street
Carson City, Nevada 89703

Compared cmf/cac lt/gkl

Protested _____

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 23471, Certificate 7775 is issued subject to the terms and conditions imposed in said Permit 23471, Certificate 7775 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening 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, withdrawn, 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 total combined duty of water under Permits 69196, 69197, and 69199 shall not exceed 134.35 acre-feet annually for the irrigation of 26.87 acres within the described place of use.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.208 cubic feet per second, **but not to exceed 114.0 acre-feet annually, and not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.**

Work must be prosecuted with reasonable diligence and be completed on or before:

July 6, 2006

Proof of completion of work shall be filed on or before:

August 6, 2006

Water must be placed to beneficial use on or before:

July 6, 2010

Proof of the application of water to beneficial use shall be filed on or before:

August 6, 2010

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

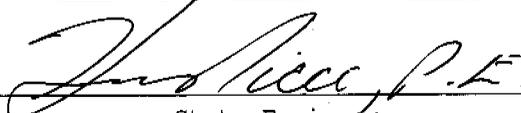
August 6, 2010

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 6th day of July A.D. 2005


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____