



TEMPORARY

THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: RAY WULFENSTEIN
Source: UNDERGROUND
Basin: PAHRUMP VALLEY
Manner of Use: COMMERCIAL
Period of Use: January 1st to December 31st
Priority Date: 01/06/1947

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 temporary permit to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 70945 is issued subject to the terms and conditions imposed in said Permit 70945 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 temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire May 29, 2010, after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The point of diversion and place of use are as described on the submitted application to support this temporary 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 0.176 cubic feet per second or 105.0 acre-feet annually.**

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

N/A

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

N/A

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

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this ^{29th} day of May, A.D. 2009



for State Engineer

dl

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 MAY 20 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed SEP 01 2006 under 74721

The applicant Ray Wulfenstein

P.O. Box 38 of Pahrump
Street Address or P.O. Box City or Town

Nevada 89041, 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 right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)
Permit 70945

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.176 c.f.s., 105.0 A.F.A.
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Commercial (Construction)
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 Commercial
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 SW 1/4 SE 1/4 Section 36, T. 19 S., R. 53 E., M.D.M., or at a point from which the South 1/4 corner of said Section 36 bears South 58° 39' 50" West, a distance of 511.90 feet.
See supporting map filed under Permit 74721.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
NE 1/4 SE 1/4 Section 29, T. 20 S., R. 54 E., M.D.M., or at a point from which the SW corner of said Section 29 bears South 59° 06' 10" West, a distance of 5,270 feet.
See supporting map filed under Permit 70945.

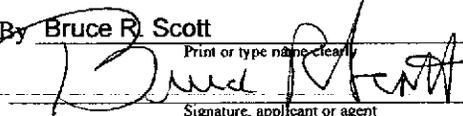
162-114

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
The W $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ E $\frac{1}{2}$ SW $\frac{1}{4}$, and the W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 36, T. 19 S., R. 53 E., M.D.M.
See attached sketch.
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.)
A portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ and a portion of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 29, T. 20 S., R. 54 E., M.D.M.
See supporting map filed under Permit 70945.
9. Proposed use will be from January 1 to December 31 of each year.
Month and Day
10. Existing use permitted from January 1 to December 31 of each year.
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.)
Existing 8" well casing, submersible pump, pressure tank, totalizing meter and distribution system.
12. Estimated cost of works Approximately \$10,000
13. Estimated time required to construct works Completed - See Well Log #96067
If well completed, describe well.
14. Estimated time required to complete the application of water to beneficial use N/A
15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary). The proposed use should be temporary in nature, or the requested change should be the result of an unforeseen occurrence: (Failure to provide a detailed description may cause a delay in processing.)
This temporary application is being filed for water to support a construction project (Correctional Facility) within the SW $\frac{1}{4}$ Section 36, T. 19 S., R. 53 E., M.D.M. by Wulfenstein Construction with an expected project duration of 9 months. Water will be pumped from an existing well under an agreement with Lindkvist Trading Company and used for dust control, grading, compaction, and related construction needs.

16. Miscellaneous remarks:

(775) 883-1600
Phone No.

E-mail

By Bruce R. Scott
Print or type name clearly

Signature, applicant or agent

Resource Concepts, Inc.
Company Name

340 North Minnesota Street
Street Address or P.O. Box

Carson City, Nevada 89703
City, State, Zip Code

RECEIVED
 2009 MAY 20 PM 3:56
 STATE ENGINEERS OFFICE

**APPLICATION MUST BE SIGNED
 BY THE APPLICANT OR AGENT**

\$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION