

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

JUL 7 1987

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed..... Map filed MAY 28 1980 under 39806 (Proposed POD & POU) Existing POD & POU under 25494

The applicant..... HUGHES ROCK & SAND, INC.

P. O. Box 820 of Dayton Nevada 89403 Street and No. or P.O. Box No. City or Town State and Zip Code No.

..... hereby make application for permission to change the

Point of Diversion & Place of Use & Manner of Use of a portion of water heretofore appropriated under Permit #25494, Certificate 8225

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

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

2. The amount of water to be changed .0749cfs (36.96 acre feet) Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for Industrial & Domestic Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation & Domestic Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NW 1/4 SW 1/4, Section 24, T. 16 N., R. 21 E., M.D.B. & M., or at a point from which the W 1/4 corner of said Section 24 bears distance to a section corner. If on unsurveyed land, it should be stated. N. 68° 10' W., a distance of 477.0 feet.

6. The existing permitted point of diversion is located within SW 1/4 SW 1/4, Section 9, T. 16 N., R. 22 E., M.D.B. & M., or at a point from which the SW corner of said Section 9 bears S. 5° 27' 52" W., a distance of 639.82 feet.

7. Proposed place of use Portions of SE 1/4 NE 1/4 and NE 1/4 SE 1/4 of Section 23; Portions of NW 1/4 SW 1/4, Section 24, all in T. 16 N., R. 21 E., M.D.B. & M.

8. Existing place of use 33.0 acres, SW 1/4 SW 1/4, Section 9, T. 16 N., R. 22 E., M.D.B. & M. Area to be transferred - Lots 1 & 4 of Golden Bee Green Acres subdivision.

9. Use will be from January 1st to December 31st of each year.

10. Use was permitted from January 1st to December 31st of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled well, pump, motor and distribution system.

12. Estimated cost of works \$10,000.00

13. Estimated time required to construct works completed

14. Estimated time required to complete the application of water to beneficial use 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Please refer to map on file for Permit #25494 for existing Point of Diversion and Place of Use. Refer to map on file for #39806 for Proposed Point of Diversion and Place of Use. Water will be used in gravel and cement plant.

s/ Jack D. Ferris
By Thiel, Winchell & Associates
5151 So. Carson Street
Carson City, Nevada 89701

Compared pm/bc pm/bc

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify 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 manner and place of use of a portion of the waters of an underground source as heretofore granted under Permit 25494, Certificate 8225 is issued subject to the terms and conditions imposed in said Permit 25494, Certificate 8225 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.

No perforations shall be put in the production casing from ground level to 100 feet.

The total combined duty of water under Permits 39806, Certificate 11277, 51079, 51080, 51096, 51097 and 52859 shall not exceed 48.24 million gallons annually.

The total combined duty of water under Permits 51096 and 51097 shall not exceed 6.33 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0394 cubic feet per second, but not to exceed 6.33 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before May 3, 1990

Proof of completion of work shall be filed before June 3, 1990

Application of water to beneficial use shall be made on or before May 3, 1992

Proof of the application of water to beneficial use shall be filed on or before June 3, 1992

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUL 9 1990

Proof of beneficial use filed MAY 20 1994

Cultural map filed _____

Certificate No. 14170 Issued JUL 31 1995

IN TESTIMONY WHEREOF, I, PETER G. MORROS,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this 3rd day of May,
A.D. 19 89
Peter G. Morros
State Engineer

(PERMIT TERMS CONTINUED)

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

