Serial No. 51612

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 DEC. 8 1987

Returned to applicant for correction

Corrected application filed Map filed DEC. 8 1987

The applicant FREHNER CONSTRUCTION CO., INC.

124 West Brooks Avenue (Street and No. or P.O. Box No.) of North Las Vegas, (City or Town)

Nevada, 89030 (State and Zip Code No.) hereby make application for permission to change the

POINT OF DIVERSION AND PLACE OF USE (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit No. 29563 (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 - Las Vegas Artesian Basin (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 0.223 cfs, not to exceed 7,440,000 gallons annually (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Commercial Purposes, crushed gravel & aggregate plant operation (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Commercial Purposes, crushed gravel & aggregate plant operation (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 within the SE¼ of the SW¼ of Section 13, (Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.) T.19S., R.61E., M.D.B. & M., Clark County, Nevada or at a point from which the SE corner of said Section 13 bears S82°49'47"E, 3937.84 feet.
6. The existing permitted point of diversion is located within the SE¼ of the SE¼ of Section 26, T.19S. (If point of diversion is not changed, do not answer.) R.61E., M.D.B. & M., Clark County, Nevada; at a point from which the SE corner of said Section 26, bears S45°28'44"E, 210.24 feet.
7. Proposed place of use Within the SE¼ of the SW¼ of Section 13, T.19S., R.61E., (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.) M.D.B. & M., Clark County, Nevada.
8. Existing place of use Within the SE¼ of the SE¼ of Section 26, T.19S., R.61E., (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.) M.D.B. & M., Clark County, Nevada.
9. Use will be from January 1 (Month and Day) to December 31, (Month and Day) of each year.
10. Use was permitted from January 1 (Month and Day) to December 31, (Month and Day) 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.) A proposed drilled well to be equipped with pump and motor together with storage tank and distribution pipeline. (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works $30,000.00
13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use 4 years

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

Water will continue to be used for commercial purposes (crushed gravel and aggregate procession) and dust control on the 41± Acre site.

By s/Jeff Frehner
Jeff Frehner
124 West Brooks Avenue
North Las Vegas, Nevada 89030

Compared bc/bk pm/se

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 and place of use of the waters of an underground source as heretofore granted under Permit 29563 is issued subject to the terms and conditions imposed in said Permit 29563 and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is further issued subject to revocation if and when water can be furnished by an entity such as a water district or a municipality engaged in furnishing 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 place to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. It is understood that this right must allow for a reasonable lowering of the static water level. The well shall be equipped with a 2-inch opening for measuring depth to water. 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.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.223 cubic feet per second, but not to exceed 7.44 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before February 2, 1991

Proof of completion of work shall be filed before March 2, 1991

Application of water to beneficial use shall be made on or before February 2, 1994

Proof of the application of water to beneficial use shall be filed on or before March 2, 1994

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

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2nd day of February, A.D. 19 89

Peter G. Morros
State Engineer

2407 (Rev. 6-81)

WITHDRAWN BY APPLICANT JUN 24 1993

STATE ENGINEER