

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office MAY 12 1989

Returned to applicant for correction

Corrected application filed

Map filed MAY 12 1989

The applicant BING CONSTRUCTION COMPANY

P.O. Box 487, of Minden, Nevada 89423

hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground

2. The amount of water applied for is 2.0 c.f.s. second-feet

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Industrial & Domestic

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under "No. 12. Remarks") Gravel Plant Operations

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point SW 1/4 SW 1/4 Section 16, T. 12 N., R. 20 E., M.D.B. & M., or at a point from which the South 1/4 corner of said Section

16 bears S. 74° 58' 06" E., a distance of 1859.98 feet.

6. Place of use Portions of S 1/4 NW 1/4 SW 1/4 SW 1/4 Section 16, Portions of E 1/4 SE 1/4 SE 1/4 Section 17 and Portions of N 1/4 NW 1/4 NW 1/4 Section 21, T. 12 N., R. 20 E., M.D.B. & M.

7. Use will begin about January 1 and end about December 31, of each year.

8. 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 and cased well, pump, motor and distribution lines.

9. Estimated cost of works \$15,000.00

10. Estimated time required to construct works..... Complete
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... 5 years

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

This application has been made for additional diversion rate only, no additional duty is requested. Over the course of a year the plant will reach a demand of approximately 1500 gpm and average 10 hours per day for 300 days. The duty under this permit and Permits 24427, 53265, 53267 will not exceed 829.77 acre feet.

By s/ Jack D. Ferris
THIEL, WINCHELL & ASSOCIATES, INC.
5151 So. Carson Street, Suite 301
Carson City, NV 89701

Compared pm/jjs bp/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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 water begins, or before the Proof of Completion of Work is filed. 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 total combined duty of water under Permits 24427, Certificate 7330, 53265, 52366 and 53267 shall not exceed 833.74 acre feet annually.

(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 2.0 cubic feet per second, but not to exceed 833.74 acre feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before April 22, 1991

Proof of completion of work shall be filed on or before May 22, 1991

Application of water to beneficial use shall be made on or before April 22, 1995

Proof of the application of water to beneficial use shall be filed on or before May 22, 1995

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

Completion of work filed JUN 21 1991 IN TESTIMONY WHEREOF, L.R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed JUN 13 1995 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 24th day of July,

Cultural map filed.....

Certificate No. 14214 Issued SEP 22 1995 A.D. 1990

[Signature]
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.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

