№ 56463

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

Date of filing in State Engineer's Office JUN 18 1991

Returned to applicant for correction AUG 01 1991

Corrected application filed

Map filed JUN 18 1991 under 56460

The applicant Basalite a division of Pacific Coast Building Products, Inc.

2600 Boeing Way (Street and No. or P.O. Box No.), of Carson City (City or Town),

Nevada 89706 (State and Zip Code No.), hereby makes 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.)

September 17, 1964; Sacramento, California

1. The source of the proposed appropriation is Unnamed Spring (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 0.03 c.f.s. (One second-foot equals 448.83 gals. per min.) second-feet

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

3. The water to be used for Mining and Milling (Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.)

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")

   (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 SE¼ SW¼ Section 8, T.17N., R.22E., M.D.B.&M. or at a point from which the SE corner of Section 17 said Township and Range bears S. 24° 20' 10" E. a distance of 7223.81'. Point "D" as identified on supporting map. (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 so stated.)

6. Place of use SE¼ Section 8; S½ SW¼ Section 9, NW¼ NE¼, E½ E½, Section 17, NW¼, W½ NE¼, N½ S½, Section 16; all within T.17N., R.22E., M.D.B.&M. Please refer to map filed in support of permit 55473 for the proposed place of use. (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day), 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.) Spring Box and Existing 3 inch Distribution Line to Mill. (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

9. Estimated cost of works $25,000.00

10. Estimated time required to construct works 2 years
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.

Water will be used for milling and construction dust suppressant, limited to 20 acre feet annually. This Permit will be co-mingled with Permits 56460, 56461, 56462, 56464 & 56465 for a combined duty of 40 acre feet.

By sJack D. Ferris
THIEL, WINCHELL & ASSOCIATES, INC.
34 Lakes Blvd., Suite 101
Dayton, NV. 89403

Compared bc/bc ab/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 followng limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the 0.02 c.f.s., 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 a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. 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 and diversion rate of water under Permits 55473, 56460, 56461, 56462, 56463, 56464 and 56465 shall not exceed 40.0 acre-feet annually and 0.125 c.f.s., respectively.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

(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 0.03 cubic feet per second, but not to exceed 21.72 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 10, 1995

Proof of completion of work shall be filed on or before July 10, 1995

Application of water to beneficial use shall be made on or before June 10, 1997

Proof of the application of water to beneficial use shall be filed on or before July 10, 1997

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

Completion of work filed AUG 08 1995

Proof of beneficial use filed JUN 30 1999

Cultural map filed

Certificate No. 15269 Issued AUG 18 1999

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21st day of January, A.D. 19 94.

R. Michael Turnipseed P.E.
State Engineer

(O)-5314 (Rev.)

(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.

Monthly records shall be kept of the amount of water used from this source and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.