Serial No. 59230

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 SEP 9 1993

Returned to applicant for correction

Corrected application filed Map filed OCT 23 1990 under 55116

The applicant Frehner Construction Co. Inc.

124 W. Brooks Ave. (Street and No. or P.O. Box No.) of N. Las Vegas (City or Town)

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

Manner of Use (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit 55116 (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 1 Second Foot (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Mining (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Quasi-Municipal & 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 NW¼ SW¼ Sec. 13 T23s R60e mdm or at a point (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.) from which the southwest corner of said section 13 bears S 21 degrees 56' W, a distance of 1960.
6. The existing permitted point of diversion is located within (If point of diversion is not changed, do not answer.)
7. Proposed place of use NW¼ SW¼ Sec. 13 T23s R60e mdm being otherwise known as (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.) the sloan yard
8. Existing place of use Same as above (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.)
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.) Drilled well with pump and tank a distribution (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.) system to trailers at the site.
12. Estimated cost of works $10,000.00 dollars
13. Estimated time required to construct works Already complete

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

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

Use will be for mining purposes as well as supression of Pm-10 particulates.

By s/Jim Matthews
124 W. Brooks Ave
N. Las Vegas, NV 89030

Compared bc/bc ab/vw

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 manner of use of the waters of an underground source as heretofore granted under Permit 55116 is issued subject to the terms and conditions imposed in said Permit 55116 and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is 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. 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.

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 pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 1.46 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before June 29, 1994

Proof of completion of work shall be filed before July 29, 1994

Application of water to beneficial use shall be made on or before June 29, 1996

Proof of the application of water to beneficial use shall be filed on or before July 29, 1996

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

Completion of work filed AUG 26 1994

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

WITHDRAWN BY APPLICANT *AUG 11 1999

R. Michael Turnipseed P.E. STATE ENGINEER

See letter of 02/26/99. August 11, 1999 is the date Permit 61720 was issued.

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 March, A.D. 19 94

R. Michael Turnipseed P.E.
State Engineer

(O)-1108 (Rev. 6-81)