

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

Date of filing in State Engineer's Office. OCT 25 1993

Returned to applicant for correction.

Corrected application filed.

Map filed. APR 7 1981 under 42378

The applicant Continental Lime, Inc.

670 E. 3900 South, Suite 205, of Salt Lake City

Utah 84107, 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 1.0 cfs second-foot

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

3. The water to be used for Mining, Milling, and 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")

(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 NW 1/4 SW 1/4, Section 7, T.34N., R.69E.,

MDB&M, or at a point from which the SE corner of Section 12, T.34N., R.68E.,

MDB&M, bears S. 35° 50' W., a distance of 2,177.0 feet

6. Place of use within Sections 10, 13, 14, 15, 22, 23, portions of 24, 25, 26, and 27, all

within T.34N., R.68E., MDB&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.) water is developed from a drilled well, 130 feet deep, 8-inch casing, via a 30 H.P. Franklin submersible pump, and then via 4-inch pipeline, 14-000 feet in length to the place of use.

- 9. Estimated cost of works well already completed, no additional costs
- 10. Estimated time required to construct works 1 month
If well completed, describe works.
- 11. Estimated time required to complete the application of water to beneficial use 3 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 request is for additional water for the milling operation which is being expanded. The point of diversion will be the existing certified water right 12883. It is anticipated that the additional water requirement will be 48,000,000 gals/ann. This is for 24-hour, 365 day plant operation. Please use existing map on file under permit 42378.

By s/David Carlson
David Carlson, Simon Hydro-Search, Inc.
5250 S. Virginia, Suite 280
Reno, Nevada 89502

Compared bc/bc jr/vjw

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.

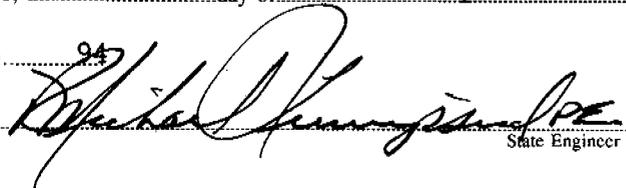
This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.
 (CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 53.0 acre-feet annually.

- Work must be prosecuted with reasonable diligence and be completed on or before September 29, 1995
- Proof of completion of work shall be filed before October 29, 1995
- Application of water to beneficial use shall be filed on or before September 29, 1997
- Proof of the application of water to beneficial use shall be filed on or before October 29, 1997
- Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed JUL 13 1995
 Proof of beneficial use filed OCT 23 1997
 Cultural map filed _____
 Certificate No. 14896 Issued APR 13 1998

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 29th day of September

A.D. 94

 State Engineer

(PERMIT TERMS CONTINUED)

The total combined duty of water under Permits 42378 and 59341 shall not exceed 53.0 acre-feet annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

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.