

AMENDED NO. 60155  
**APPLICATION FOR PERMIT  
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF  
NEVADA**

Date of filing in State Engineer's Office JUN 24 1994

Returned to applicant for correction \_\_\_\_\_

Corrected application filed JUL 26 1994

Map filed AUG 23 1994

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The applicant **A & K Earth Movers, Inc.**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **0.22 c.f.s., 14 mga** second-feet
  - (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 **SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> Section 23, T.16 N., R.21 E., MDB&M, or at a point from which the SW corner of said Section 23 bears South 17°37' West, 1225 feet**
6. Place of Use **W<sup>1</sup>/<sub>2</sub> SW<sup>1</sup>/<sub>4</sub> Section 23, and portion of NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> Section 26 lying North of U.S. Hwy 50 East, T.16 N., R.21 E., MDB&M**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **drilled well, pump, lined ponds and recirculation system**
9. Estimated cost of works **\$50,000.00**
10. Estimated time required to construct works **1 year**
11. Estimated time required to complete the application of water to beneficial use **2 years**
12. Remarks: **Anticipated gravel plant operation is 100 gpm for 45 hours per week, or approximately 14.0 mga. This application seeks a temporary allowance under the provisions of NRS 533.371, with the understanding that its use will be limited to the period of mining and milling operations within the proposed place of use.**

By **s/Brian A. Randall**  
**Brian A. Randall, Resource Concepts, Inc.**  
**340 N. Minnesota Street**  
**Carson City, Nevada 89703**

Compared hs/cmf hs/cmf

Protested \_\_\_\_\_

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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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.22 cubic feet per second, **but not to exceed 14.0 million gallons annually.**

Work must be prosecuted with reasonable diligence and be completed on or before:

February 17, 2001

Proof of completion of work shall be filed before:

March 17, 2001

Water must be placed to beneficial use on or before:

February 17, 2003

Proof of the application of water to beneficial use shall be filed on or before:

March 17, 2003

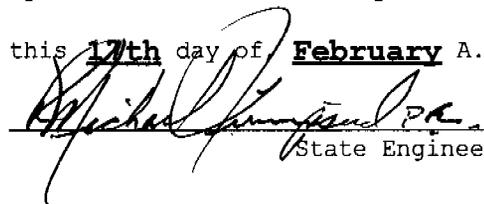
Map in support of proof of beneficial use shall be filed on or before:

N/A

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 17th day of February A.D. 2000

  
\_\_\_\_\_  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

CANCELLED JUN 05 2002 BECAUSE OF FAILURE  
OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

  
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STATE ENGINEER