

**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**

JUL 20 1994

Date of filing in State Engineer's Office.....
Returned to applicant for correction.....
Corrected application filed..... Map filed **FEB 11 1994** under 59743 T

The applicant Blue Diamond Materials, Inc.
P.O. Box 8182 of Missoula
Street and No. or P.O. Box No. City or Town
Montana 59807 hereby make S. application for permission to change the
State and Zip Code No.
point of diversion, manner of use, and place of use of a portion
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Permit 56688
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 (Las Vegas Artesian Basin).
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 34.5 million gallons annually; 0.671 C.F.S.
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Industrial and domestic.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Railroad and 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 NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26, T. 22 S., R. 60 E., M.D.M.,
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.
Clark County, Nevada, from which the NE corner of said Section 26 bears N.
63⁰30'54" E., a distance of 2863.18 feet. See map filed with Applications 59743T and
59744T.
6. The existing permitted point of diversion is located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 23, T. 22 S.,
If point of diversion is not changed, do not answer.
R. 60 E., M.D.M., from which the S $\frac{1}{2}$ corner of said section 23 bears S.
61⁰25'00" W., a distance of 653.0 feet.
7. Proposed place of use All land lying East of the Union Pacific Railroad right of way
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
within the SE $\frac{1}{4}$ of Section 23, T. 22 S., R. 60 E., M.D.M. and the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 26,
T. 22 S., R. 60 E., M.D.M., Clark County, Nevada. See map filed with Applications
59743T and 59744T.
8. Existing place of use SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, T. 22 S., R. 60 E.,
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.
M.D.M., Clark County, Nevada
9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day
10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day
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.) 10" cased well, 6" pump, pump house,
State manner in which water is to be diverted, i.e. diversion structure,
appurtenances, and storage tank
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works 85,000
13. Estimated time required to construct works 5 years - 10" cased well, 6" pump, and pump house
are completed; transmission line, appurtenances, and storage tank remain to be
completed.

5 years

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

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

Total combined duty of Permits and, not to exceed 69 million gallons annually and 1.4 C.F.S.

By S/Gregory J. Walch
Gregory J. Walch, Esq.
300 S. 4th St., #800
Las Vegas, NV 89101

Compared cm/jv 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 to change the point of diversion, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 56688 is issued subject to the terms and conditions imposed in said Permit 56688 and with the understanding that no other rights on the source will be affected by the change proposed herein. 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 total combined duty of water under Permits 60224 and 60225 shall not exceed 211.754 acre-feet per year.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.670 cubic feet per second, but not to exceed 105.877 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before January 24, 1996

Proof of completion of work shall be filed before February 24, 1996

Application of water to beneficial use shall be made on or before January 24, 2000

Proof of the application of water to beneficial use shall be filed on or before February 24, 2000

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

Completion of work filed FEB 20 1996

Proof of beneficial use filed MAR 27 2000

Cultural map filed.....

Certificate No. 15677 Issued JAN 30 2001

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 24th day of January

A.D. 1995 [Signature] State Engineer

(PERMIT TERMS CONTINUED)

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 issuance of Permit 60224 expires Permit 59743-T.