

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 JUL 20 1994

Returned to applicant for correction.....

Corrected application filed..... Map filed FEB 11 1994 under 59743T

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 5 application for permission to change the

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.,
Describe as being within a 40-acre subdivision of public survey and by course and
M.D.M., Clark County, Nevada from which the NE corner fo said Section 26 bears
distance to a section corner. If on unsurveyed land, it should be stated.

N. 60°36'25" E., a distance of 2597.01 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 $\frac{1}{4}$ corner of said Section 23 bears S. 61°25'00" 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

M.D.M., Clark County, Nevada
manner of use of irrigation permit, describe acreage to be removed from irrigation.

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.

14. Estimated time required to complete the application of water to beneficial use... 5 years

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.

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. 15678 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. 19 95

Signature of R. Michael Turnipseed, P.E. 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 60225 expires Permit 59744-T.