

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

NEW PRIORITY DATE:

Date of filing in State Engineer's Office JUL 22 1998 APR 11 2007

Returned to applicant for correction _____

Corrected application filed AUG 11 1998

Map filed SEP 14 1987 under 51221

The applicant **Benedict Boyd, Sr and Lila J. Boyd**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **underground**
2. The amount of water applied for is **1.0** second-feet
 - (a) If stored in reservoir give number of acre-feet **N/A**
3. The water to be used for **Industrial & Domestic**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated **N/A**
 - (b) Stockwater, state number and kinds of animals to be watered **N/A**
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed **N/A**
 - (2) Point of return of water to stream **N/A**
5. The water is to be diverted from its source at the following point **within SW¼ NW¼ Section 31, T.4N, R43E, M.D.B.&M. or at a point from which the NW corner of said Section 31 bears N 33°13'26" W, a distance of 2094.48 feet.**
6. Place of Use **NW¼ of Sec. 31, T-4N, R-43E, MDB&M.**
7. Use will begin about **1/1** and end about **12/31**, of each year.
8. Description of proposed works **for a 15 HP submersible pump & outlet to a sand & gravel plant within approximately 250 feet of the well site**
9. Estimated cost of works **complete possible addition 5,000⁰⁰**
10. Estimated time required to construct works **the well is completed. The pump & motor are in place & can be started immediately.**
11. Estimated time required to complete the application of water to beneficial use **5 yrs plus**
12. Remarks: **Install crusher & screen plant. Install wash plant & batch plant for concrete with office trailer and approximately 3 RV's for supervison. All for the purpose of supplying aggregate & concrete for the market. Antisipating intermittent domestic use of water by personel during industrial operation. Used map under 51221**

By **s/Benedict Boyd Sr**
Lila J. Boyd
P.O. Box 137
Tonopah NV 89049

Compared cms/bk ds/cmf

Protested _____

APPROVED 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.

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.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

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 1.0 cubic feet per second, **but not to exceed 108.75 acre-feet annually.**

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

May 25, 2002

Proof of completion of work shall be filed before:

June 25, 2002

Water must be placed to beneficial use on or before:

May 25, 2004

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

June 25, 2004

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

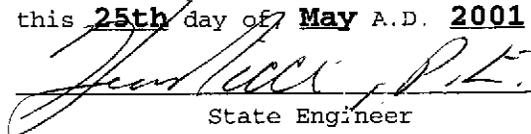
N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 25th day of May A.D. 2001

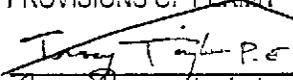

State Engineer

Completion of work filed JUL 20 2004

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

~~CANCELLED **MAR 08 2007** BECAUSE OF
FAILURE OF APPLICANT TO COMPLY WITH THE
PROVISIONS OF PERMIT
 STATE ENGINEER
Can. Rescinded 6-11-2007~~