NO. 65457

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 AUG 25 1999

Returned to applicant for correction

Corrected application filed

Map filed SEP 02 1999

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The applicant Jacklng Aggregates, LLC., hereby make application for permission to change the Point of Diversion, Manner and Place of Use of a portion of water heretofore appropriated under Permit 64768

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1. The source of water is Underground

2. The amount of water to be changed 0.027 cfs (8.08 acre feet)

3. The water to be used for Mining, Milling, & Domestic

4. The water heretofore permitted for Municipal

5. The water is to be diverted at the following point NE¼ SE¼, Section 9, T.20N., R.20E. M.D.B.&M., or at a point from which the S¼ corner of Section 4, T.20N., R.20E. M.D.B&M., bears N. 30° 33' 44" W., 3078.59 feet

6. The existing permitted point of diversion is located within NW¼ NW¼ Section 8, T.20N., R.21E., M.D.B.&M., or at a point from which the NW corner of said Section 8 bears N. 06° 11' 27" W a distance of 1050.15 feet. Please refer to map in support of Permit 64228.

7. Proposed place of use NE¼, NW¼, SE¼ of Section 9, T.20N., R.20E., M.D.B.&M.

8. Existing place of use Please refer to Exhibit "A"

9. Use will be from January 1 to December 31 of each year.

10. Use was permitted from January 1 to December 31 of each year.

11. Description of proposed works Drilled well, pump, motor, storage reservoir and distribution system.

12. Estimated cost of works $50,000.00

13. Estimated time required to construct works 2 years

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

15. Remarks: Water will be used in sand and aggregate operation.

By Jack D. Ferris
s/ Jack D. Ferris
580 Mt. Rose Street
Reno, Nevada 89509

Compared gkl/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 to change the point of diversion, place of use, and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 64768, which changed the point of diversion, place of use, and manner of use of a portion under Permit 53922, which changed the point of diversion of water appropriated under claim of vested right as evidenced by Proof of Appropriation of Water 04883, is issued 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 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 the water begins or before the proof of completion of work is filed.

The State reserves the right to regulate the use of the water under this proposed change at any and all times.

This permit is issued subject to any determination of the waters of an underground source that may be made under adjudication proceedings under NRS 533.090 through 533.320.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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)

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(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.027** cubic foot per second, **but not to exceed 8.08 acre-feet annually.**

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

July 11, 2001

Proof of completion of work shall be filed before:

August 11, 2001

Water must be placed to beneficial use on or before:

July 11, 2002

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

August 11, 2002

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 1st day of March A.D., 2000

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

Abrogated By: ~~68911-T 0.027 Exp.~~ 10-15-03 OE
69844 0.027

EXHIBIT "A"

65457

#9.2.99

8 - EXISTING

ITEM ~~7 - PROPOSED~~ PLACE OF USE

Township 20 North, Range 20 East, Mount Diablo Meridian

Section 1	-	All
Section 2	-	All
Section 3	-	All
Section 4	-	E ½
Section 9	-	E ½
Section 10	-	All
Section 11	-	All
Section 12	-	All
Section 13	-	All
Section 14	-	All
Section 15	-	All
Section 16	-	E ½
Section 21	-	All
Section 22	-	All
Section 23	-	All

Township 20 North, Range 21 East, Mount Diablo Meridian

Section 5	-	All
Section 6	-	All
Section 7	-	All
Section 8	-	All
Section 17	-	All
Section 18	-	All

Township 21 North, Range 20 East, Mount Diablo Meridian

Section 23	-	All
Section 24	-	All
Section 25	-	All
Section 26	-	All
Section 27	-	All
Section 34	-	All
Section 35	-	All
Section 36	-	All

Township 21 North, Range 21 East, Mount Diablo Meridian

Section 19	-	All
Section 30	-	All
Section 31	-	All
Section 32	-	SW ¼