

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 FEB 02 2001

Returned to applicant for correction FEB 14 2001

Corrected application filed FEB 21 2001

Map filed FEB 21 2001

The applicant Frehner Construction Co. Inc., hereby make application for permission to change the Point of Diversion For 85 Acre' A Portion of water heretofore appropriated under V05814

- 1. The source of water is underground
2. The amount of water to be changed 85 Acre Ft
3. The water to be used for mining sand & gravel
4. The water heretofore permitted for Same
5. The water is to be diverted at the following point a portion of NW 1/4 SW 1/4 Sec 13 T23S R60E Bearing North 63° 29min 9sec. East Dist. 720.66 FT From The S 1/16 Corner of Sec 13.
6. The existing permitted point of diversion is located within no change SW 1/4 SE 1/4 Section 13, T23S, R60E, MDB or at a point from which the SW corner of said Section 13 bears S 68° 53' 16" W a distance of 3110.20 feet
7. Proposed place of use
1912 160 acres in the S 1/2 S 1/2 of Sec. 12, T 23 S, R 60 E.
1912 20 acres in the S 1/2 NW 1/4 SW 1/4 of Sec. 12, T 23 S, R 60 E.
1912 20 acres in the S 1/2 NE 1/4 SW 1/4 of Sec. 12, T 23 S, R 60 E.
1912 20 acres in the S 1/2 NW 1/4 SE 1/4 of Sec. 12, T 23 S, R 60 E.
1912 20 acres in the S 1/2 NE 1/4 SE 1/4 of Sec. 12, T 23 S, R 60 E.
1912 40 acres in the NW 1/4 NW 1/4 of Sec. 13, T 23 S, R 60 E.
1912 40 acres in the NE 1/4 NW 1/4 of Sec. 13, T 23 S, R 60 E.
1912 40 acres in the NW 1/4 NE 1/4 of Sec. 13, T 23 S, R 60 E.
1912 40 acres in the NE 1/4 NE 1/4 of Sec. 13, T 23 S, R 60 E.
1912 40 acres in the SW 1/4 NW 1/4 of Sec. 13, T 23 S, R 60 E.
1912 40 acres in the SE 1/4 NW 1/4 of Sec. 13, T 23 S, R 60 E.
1912 40 acres in the SW 1/4 NE 1/4 of Sec. 13, T 23 S,, R 60 E.
1912 40 acres in the SE 1/4 NE 1/4 of Sec. 13, T 23 S, R 60 E.
1912 20 acres in the N 1/2 NW 1/4 SW 1/4 of Sec. 13, T 23 S, R 60 E.
1912 10 acres in the SE 1/4 NW 1/4 SW 1/4 of Sec. 13, T 23 S, R 60 E.
1912 40 acres in the NE 1/4 SW 1/4 of Sec. 13, T 23 S, R 60 E.
1912 40 acres in the NW 1/4 SE 1/4 of Sec. 13, T 23 S, R 60 E.
1912 40 acres in the NE 1/4 SE 1/4 of Sec. 13, T 23 S, R 60 E.
1912 20 acres in the N 1/2 SE 1/4 SW 1/4 of Sec. 13, T 23 S, R 60 E.
1912 40 acres in the SW 1/4 SE 1/4 of Sec. 13, T 23 S, R 60 E.
1912 20 acres in the N 1/2 SE 1/4 SE 1/4 of Sec. 13, T 23 S, R 60 E.
1912 160 acres in the W 1/2 W 1/2 of Sec. 18, T 23 S, R 61 E.
8. Existing place of use please see above descriptions
9. Use will be from Jan 1 to Dec 31 of each year.
10. Use was permitted from Jan 1 to Dec 31 of each year.
11. Description of proposed works drilled well & pump, Cat Gen (225 KW)

12. Estimated cost of works **\$60,000.00**
13. Estimated time required to construct works **30 Day**
14. Estimated time required to complete the application of water to beneficial use **1 Year**
15. Remarks:

By **s/ Jim Matthews**
4040 Frehner RD.
N. LV, NV 89030

Compared my/cm³ ds/cm³

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 temporary permit to change the point of diversion of a portion of the waters of an underground source as heretofore granted under Permit V-05814 is issued subject to the terms and conditions imposed in said Permit V-05814 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 temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **May 1, 2002** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(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 0.124 cubic feet per second, **but not to exceed 85.0 acre-feet annually.**

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

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

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

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

TEMPORARY

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 2nd day of May A.D. 2001


State Engineer

EXPIRED
DATE MAY 01 2002