

**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 22 2002

Returned to applicant for correction _____

Corrected application filed _____

Map filed NOV 02 1997 under 27139

The applicant **Richard T. & Ruth H. Donovan as Trustees of the Donovan Family Trust Dated August 8, 1996**, hereby make application for permission to change the **manner and place of use** of water heretofore appropriated under a **portion of Permit No. 30153, Cert. 9225**

1. The source of water is **underground**
2. The amount of water to be changed **30.00 acre feet annually, pro rata diversion rate**
3. The water to be used for **commercial and domestic**
4. The water heretofore permitted for **irrigation & domestic**
5. The water is to be diverted at the following point **The SE¼ of the NE¼ of Section 23, T.21N., R.20E., M.D.B.&M., from which the North quarter corner of Section 24, T.21N., R.20E., M.D.B.&M., bears N 60°21'23" E., 3318.28 feet.**
6. The existing permitted point of diversion is located within **same as (5) above**
7. Proposed place of use **Haul routes and barrow pit located on portions of Section 24, T.21N., R.20E., M.D.B.&M. (see attached Map 1).**
8. Existing place of use **Portions of the NE¼ of Section 23, T.21N., R.20E., M.D.B.&M., and portions of the NW¼ of Section 24. (see attached Map 2) 7.5 acres to be stripped.**
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 **Diversion to pit area will utilize existing pipeline/pond. Use in pit will involve water truck and new pipelines/ponds.**
12. Estimated cost of works **\$10,000**
13. Estimated time required to construct works **3 months**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **Water to be used for commercial (dust control, reclamation and material processing), and domestic purposes. Annual consumptive use to be 30.00 acre feet, pro rata diversion rate.**

s/Richard T. Donovan s/Ruth H. Donovan
As Trustees of the Donovan Family Trust
By **Dated August 8, 1996.**
P.O. Box 8352
Reno, NV 89507-8352

Compared cmf/cam lb/cmf

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 place of use and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 30153, Certificate 9225 is issued subject to the terms and conditions imposed in said Permit 30153, Certificate 9225 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 right of ingress and egress on public, private or corporate land.

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 **August 25, 2003** 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 0.127 cubic feet per second, but not to exceed 30.0 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:

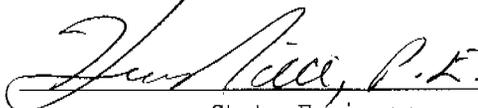
Proof of the application of water to beneficial use shall be filed on or before:

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

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

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,.

this 26th day of August, A.D. 2002



State Engineer

EXPIRED *OK*
DATE AUG 25 2003