

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

Date of filing in State Engineer's Office JAN 23 2003

Returned to applicant for correction _____

Corrected application filed FEB 03 2003

Map filed FEB 03 2003

The applicant **Dakota West Inc.**, 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 **basin #165, Jean Valley underground**
2. The amount of water applied for is **.557 (250 gal per min) second-feet**
 - (a) If stored in reservoir give number of acre-feet **.307 Tank Storage (100,000 gal)**
3. The water to be used for **mining**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **SW¼ of NW¼ Section 34 T25S R60E or at a point from which the SW section corner of said section 34 bears S-09°-07'-31" W 4135.15'**
6. Place of Use **West ½ of the SW¼, west ½ of the east ½ of the SW¼, west ½ of the SW¼ of the NW¼, in section 34 of township 25S range 60E M.D.M. East ½ of the NE¼ of the SE¼ of section 33 township 25S range 60E M.D.M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Rigid pipe to storage tank, underground well pump and motor**
9. Estimated cost of works **\$100,000.00**
10. Estimated time required to construct works **5 days to drill, pipe and set tank**
11. Estimated time required to complete the application of water to beneficial use **immediately**

12. Remarks: Annual consumption of 28,800,000 gallons used in construction with sand screw machinery in the manufacture of washed sand for concrete and plaster/mortar production

By s/ Corwon J. Finley
Corwon J. Finley
5790 Rogers Street
Las Vegas, NV 89118

Compared cac/cm f ag/sam

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 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.

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 0.557 cubic feet per second, **but not to exceed 39.87 acre-feet annually.**

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

October 20, 2005

Proof of completion of work shall be filed on or before:

November 20, 2005

Water must be placed to beneficial use on or before:

October 20, 2007

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

November 20, 2007

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 20th day of October, A.D. 2004


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____