

**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 26 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 26 2003

The applicant **Ash Meadows Zeolite, L.L.C.**, hereby make application for permission to change the **Manner of Use and Place of Use** of water heretofore appropriated under Permit No. **8025, Certificate No. 2729**

1. The source of water is **Deep or Big Springs**
2. The amount of water to be changed **0.63 cfs or 230 acre feet per annum**
3. The water to be used for **Mining and Milling**
4. The water heretofore permitted for **Irrigation and Domestic**
5. The water is to be diverted at the following point in the **SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 19, T.18S., R.51E., M.D.B.&M., or at a point from which the SW corner of said Section 19 bears S 39 $^{\circ}$ 24' W a distance of 4612.30 feet**
6. The existing permitted point of diversion is located within **same**
7. Proposed place of use **the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25 and the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, T.18S., R.50E., M.D.B.&M., Nye County, Nevada and additional "Place of Use" as shown on the attached Exhibit "A"**
8. Existing place of use **20 Ac's in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, 30 Ac's in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25 and 13 Ac's in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 25, T.18S., R.50E., M.D.B.&M..**
9. Use will be from **Jan 1st to Dec. 31st** of each year.
10. Use was permitted from **April 1st to Oct. 31st** of each year.
11. Description of proposed works **Diverted at natural spring through 3'foot wide parshall flume, existing ditch lines, stream, seepage and storage pond**
12. Estimated cost of works **existing**
13. Estimated time required to construct works **existing natural spring known as Deep or Big Springs,**
14. Estimated time required to complete the application of water to beneficial use **5 - years**
15. Remarks: **See attached Exhibit "B"**

By **David A. Richards P.L.S.**
s/David A. Richards
1191 W. Betty Ave.
Pahrump, Nevada 89048

Compared cmf/cac aq/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 permit to change the place of use and manner of use of the waters of Deep or Big Springs as heretofore granted under Permit 8025, Certificate 2729 is issued subject to the terms and conditions imposed in said Permit 8025 Certificate 2729 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

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

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

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 diverted from this source and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.63 cubic feet per second, but not to exceed 230 acre-feet annually.

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

April 16, 2005

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

May 16, 2005

Water must be placed to beneficial use on or before:

April 16, 2007

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

May 16, 2007

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

May 16, 2007

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

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

this 16th day of April, A.D. 2004

[Signature]
State Engineer

Completion of work filed APR 18 2005

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

EXHIBIT " A " ; See line #7;

Ref: Permit No. 8025, Cert. No. 2729, Application from Ash Meadows Zeolite

Additional "Place of Use" being a portion of the following described Quarter/Quarter (40 Ac.) Sections.

NYE COUNTY, NEVADA, (All gravel roads)

1. The NW1/4 of the NW1/4 and the SW1/4 of the NW1/4 of Section 25, T:18 S., R. 50 E., M.D.M.
2. The SE 1/4 of the NE1/4, the NE 1/4 of the SE 1/4, the SE 1/4 of the SE 1/4, the NW 1/4 of the SE 1/4, the NE 1/4 of the SW 1/4, the SE 1/4 of the SW 1/4, and the SW 1/4 of the SW 1/4 of Section 26, T. 18 S., R. 50 E., M.D.B. & M.
3. The NE 1/4 of the NE 1/4 of Section 35, T. 18 S., R. 50 E., M.D.B.&M.
4. The NW 1/4 of the NW 1/4 of Section 36, T. 18 S., R. 50 E., M.D.B.&M.

INYO COUNTY, CALIFORNIA; (gravel roads and mining claims)

1. The NW 1/4 of the SE 1/4 and the SW 1/4 of the SE 1/4 of Section 5, T. 25 N. R. 6 E., S.B.B. & M. (Gravel Roads)
2. The NW 1/4 of the NE 1/4 and the NE 1/4 of the NE 1/4 of Section 8, T. 25 N., R. 6 E., S.B.B. & M. (Gravel Roads)
3. The NW 1/4 of the NW 1/4, the SW 1/4 of the NW 1/4, the SE 1/4 of the NW 1/4, the NE 1/4 of the SW 1/4, the NW 1/4 of the SE 1/4, the SW 1/4 of the SE 1/4, the SE 1/4 of the SE 1/4, of Section 9, T. 25 N., R. 6 E., S.B.B. & M. (Gravel Roads)
4. The NE 1/4 of the NE 1/4 of Section 16, T. 25 N., R. 6 E., S.B.B. & M. (Gravel Roads)
5. The SW 1/4 of the SW 1/4 of Section 10, T. 25 N., R. 6 E., S.B.B. & M.; (Mining Claims)
6. The NW 1/4 of the NW 1/4 of Section 15, T. 25 N., R. 6 E., S.B.B. & M., (Mining Claims)

EXHIBIT " B " ; See line # 15

Ref: Permit No. 8025, Cert. No. 2729, Application from Ash Meadows Zeolite

Remarks:

Ash Meadows Zeolite, L.L.C. will maintain the existing water storage pond in order to water the mill site area and approximately 1 1/2 miles of gravel and dirt roads within the designated " Place of Use ", as shown on Sheet 1 of 2 of the map to support this application.

They will also water, for dust control, approximately 5 miles of additional offsite gravel and dirt roads within the Ash Meadows area. Four (4) existing mining claims and 2.42 miles of the gravel roads are located within the state of California. The mining claims are approximately 5 miles southwest of the existing " Point of Diversion ", as shown on Sheet 2 of 2 of the map to support this application.

Approximately 2000 gallons of water, per mile of roads, will be used, two (2) times a week during production or as required, watering the gravel and dirt roads.

