

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 APR 11 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUL 24 1996 under 62317

The applicant **Jackling Aggregates, LLC**, hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use** of a portion of water heretofore appropriated under **Permit No. 12554 (Certificate No. 3332)**

1. The source of water is **Underground**
2. The amount of water to be changed **4.00 acre feet per annum/pro-rata share of the diversion rate**
3. The water to be used for **Mining, Milling and Domestic Purposes**
4. The water heretofore permitted for **Stockwater and General Use**
5. The water is to be diverted at the following point w/in **SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 10 T20N, R20E, MDM or at a point from which the NW corner of said Section 10 bears N 24 degrees 29 minutes 13 seconds W, a distance of 2,952.49 feet. Refer to map filed under Permit No. 62317**
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15 T20N, R20E, MDM or at a point from which the W $\frac{1}{4}$ corner of said Section 15 bears N 88 degrees 15 minutes W, a distance of 2,960.0 feet. Refer to map filed under Permit No. 12554**
7. Proposed place of use **N $\frac{1}{2}$ and SE $\frac{1}{4}$ Section 9 T20N, R20E, MDM** Refer to map filed under **Permit No. 65457**
8. Existing place of use **NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15 T20N, R20E, MDM** Refer to map filed under **Permit No. 12554**
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 **Existing well, motor, pump, pipeline and stand pipe**
12. Estimated cost of works **None – Existing Works**
13. Estimated time required to construct works **None – Existing Works**
14. Estimated time required to complete the application of water to beneficial use **5 Years**
15. Remarks: **Reference Temporary Permit No. 68910-T**

By **s/Michael D. Buschelman**
Michael D. Buschelman
Post Office Box 51371
Sparks, Nevada 89435

Compared cmf/cac dr/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 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 12554, Certificate 3332 is issued subject to the terms and conditions imposed in said Permit 12554, Certificate 3332 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 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.

The total combined duty of water under Permits 69453, 69843, 69844 and 69845 shall not exceed 122 acre-feet annually.

(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 0.0055 cubic feet per second, **but not to exceed 4.0 acre-feet annually.**

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

N/A

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

N/A

Water must be placed to beneficial use on or before:

October 15, 2006

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

November 15, 2006

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

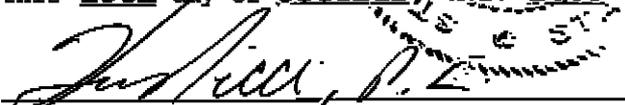
N/A

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 15th day of October, A.D. 2003


State Engineer

Completion of work filed January 14, 1999 under 62317

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

