



THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of applicant: ALLIED BUILDING MATERIALS
Source: UNDERGROUND
Basin: CRATER FLAT
Manner of Use: MINING AND MILLING
Period of Use: January 1st to December 31st
Priority Date: 06/10/1976

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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on an annual basis within 30 days after the end of each calendar year.

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

The total combined duty of water under Permits 59124, Certificate 15164; and Permit 70282 shall not exceed 46 acre feet annually.

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 groundwater basin.

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

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.45 cubic feet per second or 46.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

February 28, 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

February 28, 2013

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

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 28th day of February, A.D. 2008

[Handwritten signature of Tracy Taylor, P.E.]
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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

Date of filing in State Engineer's Office AUG 01 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 12 1993 under 59124

The applicant **Allied Building Materials** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is an **underground source**
2. The amount of water applied for is **Approximately 46 acre feet annually (15 million gallons annually) second-feet**
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Mining, milling, and dust control**
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") **Mining, milling and dust control**
 - (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 **In unsurveyed land. NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 1, T.15S., R.48E., MDB&M. At a point from which the NW. corner of Section 6, T.15S., R.49E., M.D.M. bears N 87°55'16" E, a distance of 384 feet. As shown on accompanying map.**
6. Place of Use **Government Lot 4 in Sec. 6, T.15S., R.49E., M.D.M., and the SE. $\frac{1}{4}$ of Sec. 36, T.14S., R.49E., and a Portion of Sec. 31, T.14S., R.49E., and a portion of Sec. 1, T.15S., R.48E., all in M.D.M. as shown on the accompanying map.**
7. Use will begin about **January 1st** and end about **December 31st** of each year.
8. Description of proposed works **Under Permit number 59124, Allied Building Materials is currently using one 6" diameter drilled well cased 460 Ft., one 10 hp. submersible pump and one 10,000 gal. storage tank. Allied Building Materials proposes to acquire one 5 hp booster pump and an additional 4,000 gal. storage tank to accommodate the proposed appropriation of additional water.**
9. Estimated cost of works **\$8,840.00**
10. Estimated time required to construct works **6 months**
11. Estimated time required to complete the application of water to beneficial use **1 year**
12. Remarks: **Allied Building Materials has been allotted 10 acre feet annually of water since August 11, 1993 under Permit No. 59124. Conditions have since changed, prompting this new application. In August 1993, Allied Building Materials needed the water primarily for dust control with lesser amounts to be used for sanitary facilities, including three toilets and**

70282

four sinks. Since that time, Allied Building Materials has added a new screen plant and a new manufacturing plant to its facilities and must now comply with much more stringent dust control regulations. Pursuant to the state EPA Dust Control Program requirements and NAC § 445B.22037, Allied Building Materials is responsible for preventing controllable fugitive dust from disturbed area from becoming airborne. Consequently, for these reasons, Allied Building Materials requires appropriation of additional water.

By s/Karen Hammons
c/o 3800 Howard Hughes Pkwy. 16th Fl.
Las Vegas, Nevada 89109

Compared cmf/ sam _____

Protested _____