

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 SEP 15 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 21 1997 under 62848

The applicant **Frehner Construction Company, Inc.** hereby make application for permission to change the **Point of Diversion, Place & Manner of Use** for **75 acre feet** a portion of water heretofore appropriated under **Permit #24582 (Certificate #7673)**

1. The source of water is **underground**
2. The amount of water to be changed **75 acre feet**
3. The water to be used for **mining & processing sand & gravel**
4. The water heretofore permitted for **quasi municipal**
5. The water is to be diverted at the following point a **portion of NW¼ SW¼ Section 13, T23S R60E, bearing North 63°29min9sec. East a distance of 720.66 ft. from the S1/16 corner of said Section 13/section 14 of said Township & Range #68459, #67692.**
6. The existing permitted point of diversion is located within a **portion of the NW¼ NW¼ of Section 10, T21S R61E MDB&M** or a point from which the **NW corner of said Section 10 bears North 15°40min West a distance of 917.0 feet.**
7. Proposed place of use see **attached exhibit "A"**
8. Existing place of use **within the NW¼ NW¼ Section 10 and the NE¼ NE¼ Section 9, all in T21S R61E, MDB&M**
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 **drilled well, above ground pipelines & CAT gen set**
12. Estimated cost of works **\$60,000.00**
13. Estimated time required to construct works **well completed, Permit # 67692**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks:

By **Philip Nelson**
s/**Philip Nelson**
4040 Frehner Road
No. Las Vegas, NV 89030

Compared sg/ cmf 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 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 24582, Certificate 7673 is issued subject to the terms and conditions imposed in said Permit 24582, Certificate 7673 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.

The total combined duty of water under Permits 67692, 68459, 68624, 69302, 69303, 70404 and Temporary Permit 70625-T shall not exceed 506.79 acre-feet annually.

Monthly records shall be kept of the amount of water pumped from this well and other wells within the place of use of this permit. Records shall be submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter. Separate reports shall be made for water pumped under permits and vested rights, and for water pumped under other authorization such as waivers. The monthly record shall identify water right permits and waivers from each well, and include the size, make, serial number, and meter location associated with the well.

(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 0.165 cubic feet per second, but not to exceed 75.0 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:

June 2, 2005

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

July 2, 2005

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

N/A

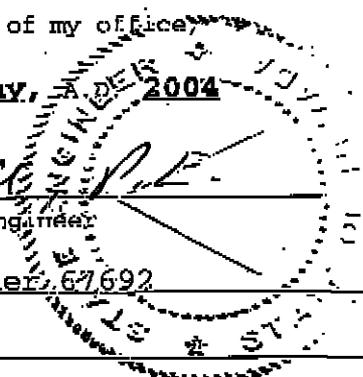
IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 20th day of May, 2004

Hugh Ricci
State Engineer



Completion of work filed MAR 17 2003 under 67692

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

"EXHIBIT A"

"7. PROPOSED PLACE OF USE..."

"SE 1/4, SE 1/4, SW 1/4,	SEC 13 T23S R60E
NE 1/4, SE 1/4, SW 1/4,	SEC 13 T23S R60E
M 1/2, S 1/2, SE 1/4,	SEC 13 T23S R60E
N 1/2, NW 1/4, SW 1/4,	SEC 13 T23S R60E
SE 1/4, NW 1/4,	SEC 13 T23S R60E
SE 1/4, NW 1/4, SW 1/4,	SEC 13 T23S R60E
NE 1/4, SW 1/4,	SEC 13 T23S R60E
N 1/2, SE 1/4,	SEC 13 T23S R60E
S 1/2, SW 1/4, NW 1/4,	SEC 13 T23S R60E
NE 1/4,	SEC 13 T23S R60E
NE 1/4, NE 1/4, NW 1/4,	SEC 13 T23S R60E
S 1/2, NE 1/4, NW 1/4,	SEC 13 T23S R60E
SE 1/4, SW 1/4,	SEC 12 T23S R60E
SW 1/4, SE 1/4,	SEC 12 T23S R60E

STATE ENGINEERS OFFICE

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