

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

Date of filing in State Engineer's Office MAR 08 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 08 2004

The applicant **John Davis Trucking Company, Inc.** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.) **Nevada, December 16, 1998**

1. The source of the proposed appropriation is **Underground**
2. The amount of water applied for is **2.7 cfs** second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Industrial**
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 **Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$), Section 2 T.32N., R.45E., M.D.B.&M. at a point from which the North $\frac{1}{4}$ corner of said Section 2 bears N 42°14'48" E, 1142.47 feet.**
6. Place of Use **Lot 3 and Lot 4 (N $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 2, T.32N., R.45E., M.D.B.&M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Underground seepage into gravel pit thence via pipeline to gravel and sand screening and washing plant thence returned to gravel pit via pipeline and open channel.**
9. Estimated cost of works **\$500,000**
10. Estimated time required to construct works **3 years**
11. Estimated time required to complete the application of water to beneficial use **5 years**
12. Remarks: **Water is developed from underground seepage into the gravel pit as aggregates are mined. The water is then pumped to and used in a gravel and sand screening and washing plant. The water is then recirculated back to the gravel pit which is approximately 1.45 acres in size. The annual consumptive use was determined by using a report done by the Nevada Department of Transportation showing the amount of water retained in the**

aggregates for a concrete mix design and evaporation from the gravel pit and is 1,700,000 gallons per year.

High Desert Engineering
By **s/Robert E. Morley**
640 Idaho Street
Elko, Nevada 89801

Compared cmf/sam 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.

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 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 permittee shall report to the State Engineer on a quarterly basis the effect of pumping the well under this permit on other previously existing wells that are located within 2,500 feet of the well under this permit.

Any pumping of water under this permit may be limited or prohibited to prevent any unreasonable adverse effects on an existing domestic well located within 2,500 feet of the well under this permit, unless the holder of this permit and the owner of the domestic well have agreed to alternative measures that mitigate adverse effects.

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.

Upon cessation of pumping at this place of use, water under this permit shall return to the source and no application to change will be allowed.

(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 2.7 cubic feet per second, **but not to exceed 5.22 acre-feet annually.**

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

October 14, 2006

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

November 14, 2006

Water must be placed to beneficial use on or before:

October 14, 2009

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

November 14, 2009

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 14th 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 _____

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