NO. 72761

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 MAY 11 2005

Returned to applicant for correction

Corrected application filed

Map filed SEP 02 2005 under 72759

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The applicant **Pacific Coast Building Products, Inc.** hereby make application for permission to change the **Place of use of a portion** of water heretofore appropriated under **Permit No. 62691**

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1. The source of water is **an underground source in the Black Mountains Area Basin**

2. The amount of water to be changed **527.275 acre-feet annually not to exceed 0.75 cfs**

3. The water to be used for **Mining purposes**

4. The water heretofore permitted for **Mining purposes**

5. The water is to be diverted at the following point **(No change) SE¼ SE ¼, Section 29, T. 20 S., R. 64 E., MDM at a point from which the Southeast corner of said Section 29 bears South 40° 40' East, 1,107 feet.**

6. The existing permitted point of diversion is located within **SE¼ SE ¼, Section 29, T. 20 S., R. 64 E., MDM at a point from which the Southeast corner of said Section 29 bears South 40° 40' East, 1,107 feet.**

7. Proposed place of use **All of Sections 5, 6, 7, 8, 17, 18, & NW ¼, NE¼ SW ¼, E ½ Section 19, NW ¼, NW ¼ SW ¼, N ½ NE ¼ Section 20, T. 20 S., R. 64 E., M.D.M also all of Sections 1, 12, 13, & NE ¼ Section 24, a portion of E ½ Section 11, T. 20 S., R. 63 E., M.D.M., Clark County, Nevada**

8. Existing place of use **SE ¼ NE ¼, NE ¼ SE ¼, SE ¼ SE ¼ Section 29, T. 20 S., R. 64 E., M.D.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. **well, pumps, pipelines with totalizing meter, storage tanks, etc.**

12. Estimated cost of works **$300,000**

13. Estimated time required to construct works **Complete Proof of Completion filed on November 2, 1995**

14. Estimated time required to complete the application of water to beneficial use **Five years**

15. Remarks: **Water is used for mining and milling purposes, this permit is supplemental with water under Permit Nos. 62691, 63312, and 63313 for an annual consumptive use not to exceed 527.275 acre feet. Note that a replacement well was drilled under this Permit; the replacement well is located within 300 feet of the Point of Diversion and within the permitted 40-acre parcel.**

By **R.J. Johnson**
s/ R.J. Johnson
948 Keys Drive
Boulder City, Nevada 89005

Compared sg/sc dl/ gkl

Protested

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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 of a portion of the waters of an underground source as heretofore granted under Permit 62691 is issued subject to the terms and conditions imposed in said Permit 62691 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 total combined duty of water under Permits 72759, 72760, 72761 and 72762 shall not exceed 527.275 acre-feet annually.

This permit is issued under the preferred use provisions of NRS Chapter 534. 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 ground water basin.

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 issuance of this permit totally abrogates Permit 62691.

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(PERMIT TERMS CONTINUED)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.75** cubic feet per second, **but not to exceed 527.275 acre-feet annually.**

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

May 12, 2007

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

June 12, 2007

Water must be placed to beneficial use on or before:

May 12, 2009

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

June 12, 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 **12th** day of **May,** A.D. **2006**

Hugh Ricci, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____