



THE STATE OF NEVADA
PERMIT TO CHANGE POINT OF DIVERSION,
MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Name of applicant: J & M TRUCKING, INC.
Source: UNDERGROUND
Basin: STEPTOE VALLEY
Manner of Use: INDUSTRIAL
Period of Use: January 1st to December 31st
Priority Date: 07/19/1977

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 of the waters of an underground source as heretofore granted under Permit 69723 is issued subject to the terms and conditions imposed in said Permit 69723 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.

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

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 point of diversion and place of use is as described under items 5 and 7 respectively 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 0.06 cubic feet per second, but not to exceed 15.0 acre-feet annually.

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

August 8, 2008

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

August 8, 2010

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 8th day of August, A.D. 2007

[Signature]
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

AMENDED
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 OCT 19 2006

Returned to applicant for correction OCT 30 2006

Corrected application filed DEC 22 2006

Map filed DEC 22 2006

The applicant **J & M Trucking, Inc.** hereby makes application for permission to change the **Point of diversion** of water heretofore appropriated under **Permit # 69723**

1. The source of water is **Underground**
2. The amount of water to be changed **0.06 cfs or 15 AFA**
3. The water to be used for **Industrial**
4. The water heretofore permitted for **Industrial**
5. The water is to be diverted at the following point **SE ¼, SW¼, Section 1 T 16 N, R 63 E MDB &M, at a point from which the southwest corner of Section 1 bears S 50° 15 ' 26" W, 1986.80 feet.**
6. The existing permitted point of diversion is located within **NW ¼, NW¼ Section 12 T 16 N R 63 E MDB&M, at a point from which the northwest corner of Section 12 bears N 88° 01' 15" W 1268.20 feet.**
7. Proposed place of use **SE¼ SW¼ of Section 1; N½ NW¼ & SE¼ NW¼ of Section 12. All in T 16 N R 63 E MDB&M**
8. Existing place of use **same**
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 **Drill well, install casing for 8" well, install pump & pipe throughout place of use.**
12. Estimated cost of works **\$65,000**
13. Estimated time required to construct works **3 years**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **Water will be used for processing sand and gravel for use and will have zero discharge.**

By **Dean Day**
s/ **Dean Day Agent**
Box 151178
Ely, NV 89315

Compared sc/bk

Protested _____