TEMPORARY

Serial No. 75766 T

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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAY 2 1 2007

Returned to applicant for correction

Corrected application filed Map filed SEP 3 0 2004 under 71709-T

The applicant Fiehner Construction Co., Inc.

3920 W. Hacienda (Street and No. or P.O. Box No.) of Las Vegas (City or Town)

Nevada 89118 (State and Zip Code No.), hereby make application for permission to change the

Point of Diversion

of water heretofore appropriated under permit # 70404 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed .75 acre feet (0.165 cfs) (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Mining & milling (Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.)
4. The water heretofore used for Mining & milling (If for stock state number and kind of animals.)
5. The water is to be diverted at the following point within the SE1/4 SE1/4 of section 13, T23S R60E MDM or a point from which the SE corner of said section 13 bears ~~North~~ South 3°16'35" ~~West~~ East a distance of 933.29 feet. Map previously filed. (Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)

KE 5/31/07

6. The existing point of diversion is located within NW1/4 SW1/4 Sec. 13, T23S, R60E, bearing North 63°29 min 9 sec East a distance of 720.46 feet from the S1/16 corner of said section 13 & section 14 of said Township & Range. (If point of diversion is not changed, do not answer.)

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7. Proposed place of use see exhibit "A" attached, same as existing place of use.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use see attached exhibit "A", same as the proposed place of use
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.

10. Use permitted from January 1 (Month and Day) to December 31 (Month and Day) of each year.

11. Description of proposed works. (Under the provision's of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) works complete (permit # 71755 & # 72090)
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works works complete (permit # 71755 & # 72090

13. Estimated time required to construct works works complete (permit # 71755 & 72090)
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is being submitted to supplement existing water rights owned by Frehner Construction Co., Inc. The well & POD described in item #5 are owned by Frehner Construction Co., Inc. This application is temporary in nature not to exceed 12 months in use or until replaced by a permanent change in POD.

By Philip Nelson
Signature, applicant or agent

3920 W. Hacienda
Street and No., or P.O. Box No.

Las Vegas, NV 89118
City, State, Zip Code No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

STATE ENGINEER'S OFFICE
2001 MAY 21 AM 11:44
RECEIVED

$100 FILING FEE MUST ACCOMPANY APPLICATION

75766

"EXHIBIT A"

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
N	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"