Serial No. 75768

ORIGINAL

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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office MAY 21 2007

Returned to applicant for correction MAY 30 2007

Corrected application filed ..... Map filed .....

The applicant Silver Eagle Aggregate Inc. c/o Don K. Costa

5028-S Arlington Ave of Reno

Street and No. Or P.O. Box No — City and Town

89509 hereby make application for permission to appropriate

State and Zip code No.

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.) December 13, 2000 in the State of Nevada

1. The source of the proposed appropriation is underground

Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 350 000 gallons ~~second feet~~.

One second foot equals 448.83 gallons per minute.

(a) If stored in reservoir give number of acre-feet .....

3. The water to be used for washing of gravel

Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.

4. If use is for:

(a) Irrigation, state number of acres to be irrigated .....

(b) Stockwater, state number and kind of animals .....

(c) Other use (describe fully "No. 12. Remarks") .....

(d) Power:

(1) Horse Power developed .....

(2) Point of return of water to stream .....

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5. The water is to be diverted from its source at the following point within SW1/4 NW1/4 Section 31, T.4N, R43E, MDB+M or at a point from which the NW corner of said section 31 bears N 33°13'06" W, a distance of 2094.48 ft.

Describe as being within a 40-acre subdivision of public survey, and by course and distance to section corner. If on unsurveyed land, it should be so stated

6. Place of use

Describe by legal subdivision. If on unsurveyed land, it should be so stated.

T.4N 43E Section 32 N1/2 MDBM
T.4N Range 43E Sec. 31 N1/2 MDBM
T.4N Range 43E Sec 29 N1/2 MDBM
T.4N Range 43E Sec 28 N1/2 MDBM

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day) of each year.

8. Description of proposed works (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well collapsed, needs re-drilling or new well.

State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works $30 000.00

10. Estimated time required to construct works 3 years

If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 years

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

Aggregate processing, mixture for concrete dust control, open pit mine as permitted

TELEPHONE NUMBER

780 963-7050

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

By [signature] (STAN)
Signature, applicant or agent

% 528 S. ARLINGTON AVE
Street and No., or P.O. Box No.

RENO, NV. 89509
City, State, Zip code No

$250 FILING FEE MUST ACCOMPANY APPLICATION

CANCELLED AUG 0 2 2007 BECAUSE OF FAILURE TO SUBMIT AN AMENDED APPLICATION AND SUPPORTING MAP

Tracy Taylor, P.E. STATE ENGINEER