TEMPORARY

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:	**DIAMOND WATER, LLC**
Source:	**UNDERGROUND**
Basin:	**LOWER MEADOW VALLEY WASH**
Manner of Use:	**COMMERCIAL**
Period of Use:	**January 1st to December 31st**
Priority Date:	**01/13/1966**

****

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 temporary permit to change the point of diversion of the waters of an underground source as heretofore granted under Permit 75193 is issued subject to the terms and conditions imposed in said Permit 75193 and with the understanding that no other rights on the source will be affected by the change proposed herein. 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. 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.

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.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of underground source water under Permits 73068, 73069, 73834, 76132T and 75194 shall not exceed 1,011.0 acre-feet annually.

The total combined duty of underground and surface source water under Permits 73068, 73069, 73834, 75194 and 75195 shall not exceed 1,100.0 acre-feet annually.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(Continued on Page 2)

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The point of diversion and place of use are as described 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 1.0 cubic feet per second or 140.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**N/A**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**N/A**
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 10th day of **July**, A.D. **2009**

Tracy Taylor, P.E.
State Engineer

llb

TEMPORARY

Serial No. 76132 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 AUG 0 3 2007

Returned to applicant for correction

Corrected application filed ..... Map filed AUG - 3 2007

The applicant Diamond Water, LLC

3993 Howard Hughes Parkway, Suite 280 (Street and No. Or P.O. Box No.) of Las Vegas (City or Town)

Nevada, 89169 (State and Zip Code No.), hereby makes... application for permission to change the

Point of Diversion

of water heretofore appropriated under Permit 75193 (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 140.00 acre feet per year at 1.00 cubic feet per second (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)

3. The water to be used for Commercial (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 Commercial (If for stock state number and kind of animals.)

5. The water is to be diverted at the following point within the Northeast Quarter of the Northeast Quarter of (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.)

Section 19, Township 13 South, Range 66 East M.D.B.&M., Clark County, Nevada, or at a point from which the...

northeast corner of said Section 19 bears North 75^0 36' 11" East a distance of 599.07 feet

6. The existing point of diversion is located within the Northwest Quarter of the Northeast Quarter of Section 19, (If point of diversion is not changed, do not answer.)

Township 13 South, Range 66 East, M.D.B.&M., Clark County, Nevada or at a point from which the northeast

corner of said Section 19 bears North 64^0 03' 48" East a distance of 2827.52 feet

205-

7. Proposed place of use.....NE ¼ (all), NE ¼ NW ¼ , N ½ SE ¼ , and the SE ¼ SE ¼ of Section 19, ...
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

Township 13 South, Range 66 East, M.D.B.&M, Clark County, Nevada.....

.....

.....

8. Existing place of use..... NE ¼ (all), NE ¼ NW ¼ , N ½ SE ¼ , and the SE ¼ SE ¼ of Section 19,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner

Township 13 South, Range 66 East, M.D.B.&M, Clark County, Nevada.....
of use of irrigation permit, describe acreage to be removed from irrigation.

.....

.....

.....

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

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

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..Water will be pumped from the exposed water table in an
State manner in which water is to be diverted, i.e. diversion structure, ditches,

existing mine pit to a lined storage pond, then by means of a second pump to the sand plant and clarifying unit, etc.
pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works...$400,000.00.....

13. Estimated time required to construct works.....Completed under Permit 73834.....
If well completed, describe well.

.....

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

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

The proposed new Point of Diversion is the exposed water table in a sump in an existing mine pit. Pumping from the sump will facilitate deeper mining by dewatering additional sand deposits, as well as providing a water source for operation of the sand plant, concrete batch plant, and related operations. There are no domestic wells within 2,500 feet of the proposed Point of Diversion.....

.....(775) 787-1300.....
Phone No.

By.....Mark D. Stock *for* Global Hydrologic Services Inc.
Print or type name clearly

Mark D. Stock
.....
Signature, applicant or agent

.....561 Keystone, #200.....
Street and No., or P.O. Box No.

.....Reno, Nevada 89503.....
City, State, Zip Code

STATE ENGINEERS OFFICE
2007 AUG -3 PM 2:33

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

$100 FILING FEE MUST ACCOMPANY APPLICATION