



## THE STATE OF NEVADA

### PERMIT TO APPROPRIATE WATER

**Name of applicant:** RANDY & PATRICIA L. MESSER  
**Source:** UNDERGROUND  
**Basin:** CARSON DESERT  
**Manner of Use:** MINING AND MILLING  
**Period of Use:** January 1st to December 31st  
**Priority Date:** 08/29/2008

\*\*\*\*\*

#### 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 is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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 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 an annual basis within 30 days after the end of each calendar year.

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

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 groundwater basin.

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

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.01 cubic feet per second or 4.48 acre-feet annually.**

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

March 4, 2010

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

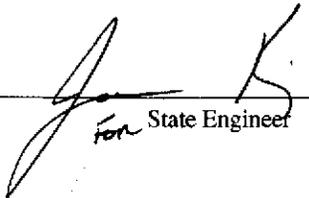
March 4, 2014

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 4th day of March, A.D. 2009

  
\_\_\_\_\_  
for State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

llb

**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	<u>AUG 29 2008</u>
Returned to applicant for correction	_____
Corrected application filed	Map filed <u>SEP 09 2008</u>

The applicant Randy & Patricia L. Messer

2689 Hwy 20 of Marysville  
Street Address or P.O. Box City or Town

California 95901 hereby make(s) application for permission to appropriate  
State and Zip Code

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.)

1. The source of water is Underground  
Name of stream, lake, underground, spring or other sources

2. The amount of water applied for is 4.48 Acre-Feet Annually - 0.0062 CFS 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 Mining, Dust Abatement & Domestic Use  
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 in No. 12) See Item #12

(d) Power:

(1) Horsepower developed \_\_\_\_\_

(2) Point of return of water to stream \_\_\_\_\_

101-ctt

5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.)  
Located within the SE 1/4 NW 1/4 of Section 24, T18N, R30E, M.D.M., or at a point from which the SW corner of Section 23, T18N, R30E, M.D.M. bears S 62°19'03" W, a distance of 7,505.0 feet. Refer to the supporting map filed with this Application.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)  
Proposed Place of Use is located within portions of Sections ~~18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28~~ of Township 18 North, Range 30 East, M.D.M. Refer to the supporting map filed with this Application.

*crossed by access roads in*  
*In addition<sup>all of</sup>: S 1/2 Sec. 13; SE 1/4 Sec. 14; NE 1/4 Sec. 23; and N 1/2 Sec 24 all in T18N, R 30E, M.D.M.*

*ALB*  
*9/9/08*

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

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.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)  
Drilled well with pump & motor equipped with totalizing meter.

9. Estimated cost of works: \$25,000.00 +/-

10. Estimated time required to construct works: Two (2) Years  
(If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use: Five (5) Years

12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):  
(Failure to provide a detailed description may cause a delay in processing.)  
See Attachment

STATE ENGINEERING DIVISION  
2008 AUG 29 AM 10:11

13. Miscellaneous remarks:  
These water rights are to be used for the Neva-Rite Project.

sue@summitnv.com  
E-mail Address

775-747-8550  
Phone No.

**APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT**

By Suzan L. Ferguson - Agent  
Type or print name clearly  
*Suzan L. Ferguson*  
Signature, applicant or agent  
Summit Engineering Corporation  
Company Name  
5405 Mae Anne Avenue  
Street Address or P.O. Box  
Reno, Nevada 89523  
City, State, Zip Code

**\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION**

## ATTACHMENT

**Item #12: Description of the Proposed Project**

The Nevada Wonderstone Quarry project of Neva-Rite, LLC, is to be developed on a unique deposit of ornamental stone. The project, a surface quarry, is anticipated to operate approximately 200 days per year. An estimated 25,000 tons per year of cutting material will be produced initially, increasing to a cap of 60,000 tons per year – with an equal amount of waste rock produced.

The ornamental stone will be shipped offsite for processing. Water will be required for dust abatement on both roads and at the mine. Water will also be required for domestic purposes (showers and toilets) at the mine, primarily in the administration and shop facilities. The operation will employ an estimated a 10 miners and administrative staff onsite.

2000 AUG 29 AM 10:11  
STATE ENGINEERS OFFICE