

THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of applicant: NEVADA CEMENT COMPANY
Source: UNDERGROUND
Basin: CARSON DESERT-PACKARD VALLEY
Manner of Use: MINING AND MILLING
Period of Use: January 1st to December 31st
Priority Date: 12/19/2008

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.

The permittee shall keep monthly records of the amount of water pumped from this well and the records must be 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.

This permit is issued under the preferred use provisions of NRS Chapter 534. 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 ground water basin.

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

(Continued on Page 2)

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 0.3 cubic feet per second or 30.0 acre-feet annually.

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

January 21, 2012

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

January 21, 2015

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 21st day of January, A.D. 2010

Tracy Taylor P.E.

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 DEC 19 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed DEC 19 2008

The applicant Nevada Cement Company

Interstate Highway 80 at Exit No. 46 of Fernley
Street Address or P.O. Box City or Town

Nevada 89408-0840 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.)
Incorporated in the State of Nevada on July 11, 1994

1. The source of water is an underground source
Name of stream, lake, underground, spring or other sources.
2. The amount of water applied for is 0.30 c.f.s - 30.0 acre feet annually 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, Milling and Domestic
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) _____
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____

101A-PE

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.)
within the SW1/4 of the NW1/4 of Section 22, T.27N., R.34E., M.D.M. or at a point from which the W1/4 corner of said Section 22 bears S 42 degrees 50 minutes 11 seconds W, a distance of 1,012.37 feet

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)
portions of Sections 22, 23, 24, 25, 26 and 27, all in T.27N., R.34E., M.D.M.
MB 12-22-08

7. Use will begin about January 1st and end about December 31st of each year.
Month and Day 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 and cased well, equipped with a motor, pump, flow meter and pipeline for a water truck filling station and mobile office facility.

9. Estimated cost of works: \$80,000.00

10. Estimated time required to construct works: Three (3) years
(If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use: Eight (8) 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.)
Water from the point of diversion will be used for the construction and maintenance of proposed mine roads, haul roads and dust abatement for the roads and mining areas. An estimated 7 loads per day of 4,000 gallon trucks for 365 days a year will be consumed. Minor volume of water will be utilized for temporary occupancy of mobile office facility.

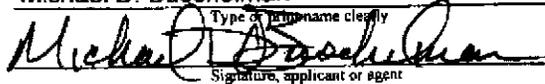
13. Miscellaneous remarks:

mike@mbuschelman.com
E-mail Address

775-355-9628
Phone No.

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

Michael D. Buschelman
Type of Printname clearly

By 
Signature, applicant or agent

Michael D. Buschelman Consulting, Inc.
Company Name

Post Office Box 51371
Street Address or P.O. Box

Sparks, Nevada 89435
City, State, Zip Code

RECEIVED
2008 DEC 19 PM 4:33
STATE ENGINEER'S OFFICE

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Revised 11-07

Protested: January 16, 2009, by Winnemucca District BLM PRO. W/D 8/25/09