

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: LAS VEGAS PAVING CORP.
Source: UNDERGROUND
Basin: LAS VEGAS VALLEY
Manner of Use: MINING AND MILLING
Period of Use: January 1st to December 31st
Priority Date: 04/05/1943

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, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 10940, Certificate 4402 is issued subject to the terms and conditions imposed in said Permit 10940, Certificate 4402 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and 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. If the well is flowing, a valve must be installed and maintained to prevent waste. 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.

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 water under Permits 77777T and 77778T, having point of diversion and place of use, shall not exceed 108.59 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.

This temporary permit is issued for mining purposes within the described place of use within the parcels identified by Clark County as APN's 126-36-401-001, 126-35-000-004, and 137-02-000-001.

(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 0.103 cubic feet per second or 51.59 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 19th day of January, A.D. 2010

Tracy Taylor, P.E.
State Engineer

AMENDED

TEMPORARY

Application No. **77778**

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 JAN 08 2009

Returned to applicant for correction JAN 16 2009

Corrected application filed APR 13 2009 Map filed APR 13 2009 under **77777T**

The applicant Las Vegas Paving Corp.

4420 S Decatur Blvd of Las Vegas
Street Address or P.O. Box City or Town
Nevada 89103, hereby make(s) application for permission to change the
State and Zip Code

Point of diversion Place of use Manner of use of a portion

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

NWR Permit #10940 (Certificate #4402)

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources
2. The amount of water to be changed 0.1033 cfs / 51.592235 Acre-feet
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Mining - Aggregate Processing, Hot Mix Asphalt Production, Dust Control, etc
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 Irrigation
If for stock, state number and kind of animals.
5. The water is to be diverted 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 stated.)
within the SE 1/4 SW 1/4 of Section 36, Township 19S, Range 59E, M.D.B.&M at a point that bears S72°50'53"E and a distance of 2,586.49 ft from the S1/16 of the West line of said section 36. Being a BLM brass cap
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
Within the SE 1/4 SW 1/4 of Section 9, Township 19S, Range 60E, M.D.B.&M at a point from which the S 1/4 corner of said Section 9 bears S13°29'E - 1,004.0ft

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Portions of the following SW 1/4 of Section 36, Township 19S, Range 59E MDB&M, and the S 1/2 of Section 35, Township 19S, Range 59E MDB&M, and the N 1/2 of Section 2, Township 20S, Range 59E MDB&M, and the NE 1/4 of Section 3, Township 20S, Range 59E MDB&M.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

within the E 1/2 E 1/2 of Section 22 and NW 1/4 and S 1/2 of NE 1/4 and NW 1/4 of SW 1/4 Section 23, both in Township 19 South, Range 60 East, M.D.B.&M. The 10.318447 acres, will be removed from irrigation, within Lot 1 and 2 shown on Parcel Map File #23, page 71. Refer to attached map. *10.318447 acres removed from irrigation in SE 1/4 NW 1/4 Sec. 23*

REL

9. Proposed use will be from January 1st to December 31st of each year.

10. Existing use permitted from January 1st to December 31st of each year.

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.) (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 Existing Well

13. Estimated time required to construct works Existing Well

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

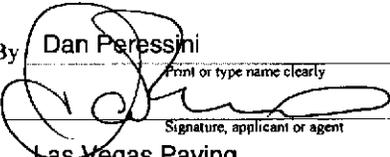
15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary). The proposed use should be temporary in nature, or the requested change should be the result of an unforeseen occurrence: (Failure to provide a detailed description may cause a delay in processing.)

The water usage will be for the production of construction aggregate and hot mix asphalt. The existing well on site was installed under an NDOT permit for road construction work in 1994 under Permit C-128. Subsequently DWR sent a notice for LVP to remedy an unpermitted well by acquiring and/or transferring water rights to this existing well. This temporary water right would allow for the processing of permanent change of point of diversion, manner of use and place of use.

16. Miscellaneous remarks:

(702)251-5800 Ext 262
Phone No.

DPeressini@LasVegasPaving.com
E-mail

By Dan Peressini
Print or type name clearly

Signature, applicant or agent
Las Vegas Paving
Company Name
4420 S. Decatur Blvd
Street Address or P.O. Box
Las Vegas, NV 89103
City, State, Zip Code

RECEIVED
2009 APR 13 AM 10:06
STATE ENGINEERS OFFICE

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

\$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

SURVEYOR'S CERTIFICATE

I, STEPHEN F. TURNER, A DAILY REGISTERED LAND SURVEYOR IN THE STATE OF NEVADA, AS AGENY FOR BAUGHMAN & TURNER AND CO. REGISTERED PROFESSIONAL ENGINEERS AND ARCHITECTS, HAVE ACCURATELY AND COMPLETELY DELINEATED A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION AT THE INSTANCE OF AGENCIES, AND THE POSITIONS SHOWN AND ARE SUFFICIENT TO ENABLE THE SURVEY TO BE RE-TRACED; THIS SURVEY CONFORMS WITH THE DEFINITIONS AND PROVISIONS OF CHAPTER 204, NRS, AS AMENDED, AND THE PROVISIONS OF THIS SURVEY WAS COMPLETED ON SEPTEMBER 23, 1978.



STEPHEN F. TURNER
REGISTERED LAND SURVEYOR
NEVADA, CERTIFICATE NO. 1003

OWNER'S CERTIFICATE & DEDICATION

WE, SIGMUND AND BONNIE ZAMM, DO HEREBY CERTIFY THAT BEING THE OWNER OF THE LANDS SHOWN WITHIN THE BOUNDARIES OF SAID LOTS, WE HAVE CAUSED THE LAND TO BE SURVEYED AND PLATTED INTO LOTS, ALLEYS AND SHOWN HERETOFORE, AND WE HAVE CAUSED THE LOTS TO BE OPEN TO THE PUBLIC, AND WE HAVE CAUSED ANY PUBLIC STREETS OR ALLEYS, EIGHT FEET WIDE, TO BE OPEN TO THE PUBLIC, AND WE HAVE CAUSED THE PUBLIC MAINTENANCE OF SAID STREETS AND ALLEYS, AND ALL STREETS TO BE SECURED WITH DURABLE CONCRETE ACCORDING TO COUNTY REQUIREMENTS, IN ACCORDANCE TO PLCCO CODES, DIVISION 1.

WITNESSED BY ME, A NOTARY PUBLIC, AND THEY ACKNOWLEDGED TO ME THAT THEY HAVE READ THE ABOVE INSTRUMENT, AND THAT THEY ARE THE SIGNERS THEREOF, AND THAT THEY HAVE CAUSED THE SAME TO BE RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF CLATSOP, OREGON, ON THIS 23rd DAY OF SEPTEMBER, 1978. WITNESSED AND SIGNED PERSONALLY BY ME, A NOTARY PUBLIC, AND FOR SAID COUNTY OF CLATSOP, OREGON, ON THIS 23rd DAY OF SEPTEMBER, 1978.

ACKNOWLEDGEMENT

STATE OF NEVADA } s
COUNTY OF CLATSOP }
ON THIS 23rd DAY OF SEPTEMBER, 1978, I, JAMES AND BONNIE ZAMM, APPEARED BEFORE ME, A NOTARY PUBLIC, AND THEY ACKNOWLEDGED TO ME THAT THEY HAVE READ THE ABOVE INSTRUMENT, AND THAT THEY ARE THE SIGNERS THEREOF, AND THAT THEY HAVE CAUSED THE SAME TO BE RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF CLATSOP, OREGON, ON THIS 23rd DAY OF SEPTEMBER, 1978.

APPROVALS

THIS IS TO CERTIFY THAT THE ACTING ZONING ADMINISTRATOR, PLANNING CLATSOP COUNTY, NEVADA, ON THIS 23rd DAY OF SEPTEMBER, 1978, HAS REVIEWED THE MAP AND ANY PROPOSED USE OF LAND OFFERED FOR DEDICATION FOR PUBLIC USE IN CONFORMITY WITH THE TERMS OF THE ZONING ORDINANCE OF THE CITY OF CLATSOP, OREGON, AND HAS GRANTED APPROVAL FOR THE SAME.

BASIS OF BEARINGS

N. 87° 15' 12" E. THE SOUTH LINE OF THE SW 1/4 OF SECTION 13, TOWNSHIP 36 NORTH, RANGE 12 EAST, CLATSOP COUNTY, NEVADA.

PARCEL MAP FOR PRELIMINARY RECORDATION

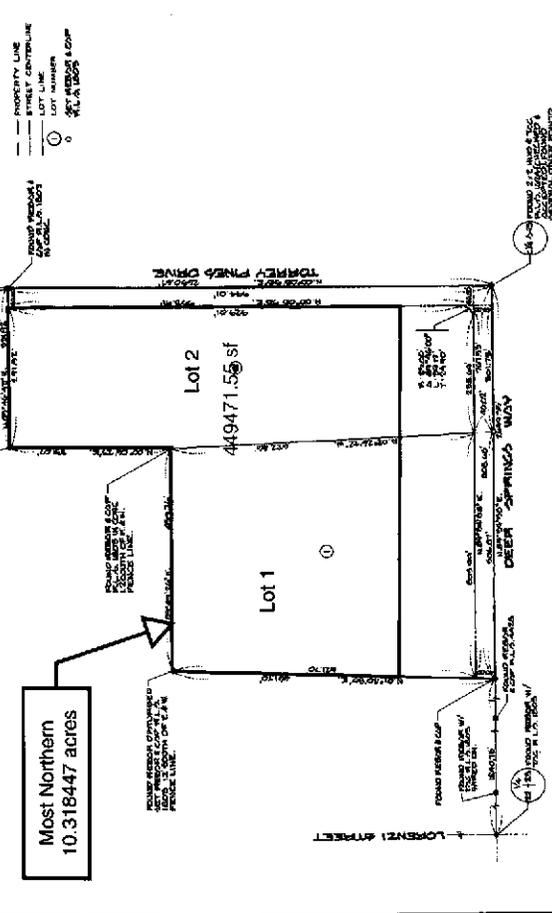
A PORTION OF THE SW 1/4 OF THE SW 1/4 OF SECTION 13, TOWNSHIP 36 NORTH, RANGE 12 EAST, CLATSOP COUNTY, NEVADA.

FILED IN THE RECORDS OF THE CLATSOP COUNTY CLERK'S OFFICE ON SEPTEMBER 23, 1978.



LEGEND

- POINT FOUND AS NOTED
- PROPERTY LINE
- CONTROL LINE
- LOT NUMBER
- SET BACKS
- DEER SPRINGS WINDY



Book 915

Parcel 14
File 28
Date 11/11/78

DRAWING NUMBER

DRAWING NUMBER

DRAWING NUMBER

FILED
APR 13 2008
STATE ENGINEER'S OFFICE

17778T

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