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:	**GRANITE CONSTRUCTION COMPANY**
Source:	**UNDERGROUND**
Basin:	**TRACY SEGMENT**
Manner of Use:	**INDUSTRIAL**
Period of Use:	**January 1st to December 31st**
Priority Date:	**03/25/1975**

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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 to change the point of diversion, manner and place of use of a portion of the waters of an underground source as heretofore granted under Permit 57459 is issued subject to the terms and conditions imposed in said Permit 57459 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.

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

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The total combined duty of water from this well under Permits 77485, 78031 and 78032 shall not exceed 60.775 acre-feet annually.

The total combined duty of water under Permits 78031 and 78032 shall not exceed 32.575 acre-feet annually.

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)

If any water under this permit is cancelled, withdrawn, or any water is not put to beneficial use, it will revert to the groundwater source and not back to the base water right.

Any withdrawal or cancellation of this permit will result in the cancellation of Permit 78031.

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 0.045 cubic feet per second or 32.575 acre-feet annually**.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**October 9, 2010**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**October 9, 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 9th day of **October,** A.D. **2009**

K. Hurl P.E.
for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

Application No. 78032

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 FEB 13 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 10 1991 under 56332

The applicant Granite Construction Company

P.O. Box 2087 (Street Address or P.O. Box) of Sparks (City or Town)

Nevada 89432 (State and Zip Code), hereby make(s) application for permission to change the

☒ 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.)

Portion of Permit No. 57459

1. The source of water is Underground (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed Pro-rata Share but not to exceed 32.575 AF (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Industrial Purposes (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 Gravel Washing and Domestic (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.)

   NE1/4 SW1/4 Section 17, T. 19N., R. 21E., MDM; and from which point the West quarter corner of said Section 17 bears North 75° 36' 15" West, a distance of 1560.00 feet. Refer to point of diversion map filed under Permit No. 56332. (West Well)

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

   NW1/4 SE1/4 of Section 31, T20N, R22E, MDM, or at a point from which the NW corner of said Section 31 bears, N 39° 46' W, a distance of 5,041.00 feet. Refer to map filed under Permit No. 53146.

33-117

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

Refer to Exhibit "A" for proposed place of use.

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.)

Portions of the SW 1/4 SW1/4, SE1/4 SW1/4, NE1/4 SW1/4, NW1/4 SE1/4, NE1/4 SE1/4, SW1/4 SE1/4, SW1/4 NE1/4, SE1/4 NE1/4, all within Section 31, T20N, R22E, MDM.

9. Proposed use will be from January 1 (Month and Day) to December 31 (Month and Day) of each year.

10. Existing use permitted from January 1 (Month and Day) to December 31 (Month and Day) 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.)

Existing well equipped with pump and motor. Refer to POC filed under Permit No. 56332.

12. Estimated cost of works None Existing

13. Estimated time required to construct works None Existing
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 10 years

15. 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 will be pumped and piped to holding facilities where it is to be used for commercial purposes. Some of these included asphalt production, batch plant and construction materials production. Water will also be utilized for sand and gravel washing, dust abatement, washing equipment, the testing lab, offices and shop facilities.

16. Miscellaneous remarks:

2009 FEB 13 AM 10: 35

775-355-9628
Phone No.

E-mail

By Michael D. Buschelman
Print or type name clearly

Signature, applicant or agent

Michael D. Buschelman
Company Name

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

Sparks, NV 89435-1371
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

78032

Granite Construction Company

Proposed Place of Use

Exhibit "A"

All in T. 19N., R. 21E., MDB&M, All within Washoe County

Section 7

All of Section 7

Section 16

A portion of the SW1/4 NW1/4 also known as APN 084-080-20

A portion of the NW1/4 SW1/4 lying North of the Northerly right-of-way line of Interstate Highway 80. Being a portion of APN 084-080-30.

Section 17

All of the N1/2; and that portion of the S1/2 lying North of the Northerly right-of-way line of Interstate Highway 80.

Refer to map filed under Application No. 77481 for the above place of use.