Permit No. 78889

AMENDED

THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant:	**RLM NEVADA VENTURES, LLC**
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**

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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, 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.

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.

The total combined duty of water under Permits 78888 and 78889, having point of diversion and place of use shall not exceed 108.59 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.

This 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)

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 0.1033 cubic feet per second or 51.5922 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**October 20, 2011**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**October 20, 2013**
Map in support of proof of beneficial use shall be filed on or before:	**N/A**

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 1st day of **March**, A.D. **2011**

P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Permit No. 78889

See Amended

THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant:	**RLM NEVADA VENTURES, LLC**
Source:	**UNDERGROUND**
Basin:	**LAS VEGAS VALLEY**
Manner of Use:	**IRRIGATION**
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 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.

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.

The total combined duty of water under Permits 78888 and 78889, having point of diversion and place of use shall not exceed 108.59 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.

This 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)

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 0.1033 cubic feet per second or 51.5922 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **October 20 2011**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **October 20 2013**

Map in support of proof of beneficial use shall be filed on or before: **N/A**

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 20th day of **October**, A.D. **2010**

P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Amended

Application No. 78889

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 SEP 14 2009

Returned to applicant for correction SEP 18 2009

Corrected application filed NOV 17 2009 Map filed NOV 17 2009

The applicant RLM Nevada Ventures, LLC

4420 South Decatur Blvd. (Street Address or PO Box) of Las Vegas (City or Town)

Nevada, 89103 (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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit # 10940, CERTIFICATE 4402

LOHR 11/18/09

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
   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 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.)
   South East Quarter (SE 1/4) of the South West Quarter (SW1/4) of Section 36, T.19S., R.59E., MDM. Having a bearing of S20°26'53"E for a distance of 615.61 feet to the South Quarter (S-1/4) corner of said Section 36.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   South East Quarter (SE 1/4) of the South West Quarter (SW1/4) of Section 9, T.19S., R.60E., MDM. Having a bearing of S13°29'00"E for a distance of 1,004.00 feet to the South Quarter (S-1/4) corner of said Section 9.

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

Portions of the following:

South West Quarter (SW1/4) of Section 36 and the South Half (S1/2) of Section 35 in T.19S., R.59E., MDM and the North Half (N1/2) of Section 2 and the North East Quarter (NE-1/4) of Section 3 in T.~~19S~~ 20S, R.59E., MDM.

WHR 11/18/09

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 following:

East Half (E1/2) of Section 22 and the North West Quarter (NW1/4) of Section 23 and South Half (S1/2) of the North East Quarter (NE1/4) of Section 23 and North West Quarter (NW1/4) of the South West Quarter (SW1/4) of Section 23 in T.19S., R.60E., MDM.

10.318447 Acres are being striped from irrigation.

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

10. Existing use permitted from January 1st (Month and Day) to December 31st (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 drilled well and pump with various piping to the place of use

12. Estimated cost of works Existing well (8" well casing - 940 ft deep)

13. Estimated time required to construct works Existing well

If well completed, describe 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): (Failure to provide a detailed description may cause a delay in processing.)

Existing gravel mine and asphalt production facility. Water to be used for aggregate mining and production and dust control

16. Miscellaneous remarks:

2009 NOV 17 PM 1:23

STATE ENGINEER'S OFFICE

Dan Peressini

Type or print name clearly

Signature, applicant or agent

dperesssini@lasvegaspaving.com

E-mail Address

702-251-5800

Phone No.

RLM Ventures Nevada LLC

Company Name

4420 South Decatur Blvd

Street Address or PO Box

Las Vegas, Nv. 89103

City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09

$200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION