



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: SWEENEY MINING, ROCK AND SAND, LLC
Source: UNDERGROUND
Basin: PARADISE VALLEY
Manner of Use: INDUSTRIAL
Period of Use: January 1st to December 31st
Priority Date: 04/14/2006

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 place and manner of use of the waters of an underground source as heretofore granted under Permit 61560 is issued subject to the terms and conditions imposed in said Permit 61560 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 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 0.4 cubic feet per second or 6.0 acre-feet annually.**

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

March 15, 2011

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

March 15, 2012

Map in support of proof of beneficial use shall be filed on or before:

March 15, 2012

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of March, A.D. 2010

K.R. Hall P.E.
for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

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	<u>OCT 15 2009</u>
Returned to applicant for correction	_____
Corrected application filed	_____ Map filed <u>OCT 15 2009</u>

The applicant Sweeney Mining, Rock and Sand LLC
P.O. Box 1431 of Winnemucca
Street Address or PO Box City or Town
Nevada, 89446 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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit 61560

- The source of water is underground
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 0.40cfs
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Industrial and Domestic
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use
- The water heretofore used for Commercial
If for stock, state number and kind of animals.
- 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 NE1/4NE1/4 of Section 9, T.37N., R.38E., M.D.B.&M., or at a point from which the NE corner of said Section 9 bears N39° 51'E a distance of 1600.00 feet
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
unchanged

69-111

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

NE1/4NW1/4, SW1/4NW1/4 of Section 10 and all that portion of the NE1/4 of Section 9 lying East of U.S. Highway 95 right of way, both in T.37N.,R.38E., M.D.B.&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.)

A portion of the NE1/4NE1/4 of Section 9, T.37N.,R.38E., M.D.B.&M. lying East of the U.S. Highway 95 right of way containing approximately 15.51 acres more or less.

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

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

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.)

A drilled well with pump and buried pipelines to the place of use, also a stand pipe to fill water trucks.

12. Estimated cost of works \$20,000.00±

13. Estimated time required to construct works 1 year, well is complete see well log filed under Permit 61560
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 3 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.)

The water is to be used to operate a sand and gravel business, usage will be for plant operation, dust control and domestic use for office and caretakers residence.

16. Miscellaneous remarks:

STATE ENGINEERS OFFICE
OCT 15 AM 11:51
RECEIVED

dms@winnemuca.net
E-mail Address
775-623-4414
Phone No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

John H. Milton III
Type or print name clearly
John H. Milton III
Signature, applicant or agent
Desert Mountain Surveying
Company Name
146 West Second Street
Street Address or PO Box
Winnemucca, Nevada, 89445
City, State, ZIP Code