



**TEMPORARY
THE STATE OF NEVADA**

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

Name of applicant: ELKO COUNTY
Source: UNDERGROUND
Basin: ELKO SEGMENT
Manner of Use: CONSTRUCTION
Period of Use: ONE YEAR FROM DATE OF ISSUANCE
Priority Date: 05/18/1981

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 78944 is issued subject to the terms and conditions imposed in said Permit 78944 and with the understanding that no other rights on the source will be affected by the change proposed herein. This well shall be equipped with a two (2) inch opening for measuring depth to water 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 temporary 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 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 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.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0636 cubic feet per second or 46.033 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:

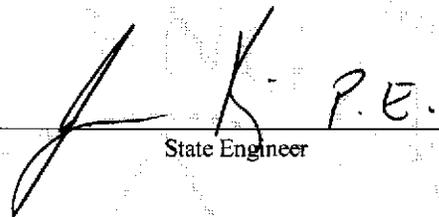
N/A

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

N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office; this 16th day of May, A.D. 2011



State Engineer



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 APR 04 2011
Returned to applicant for correction
Corrected application filed Map filed DEC 19 1991 under 53223

The applicant Elko County
540 Court Street of Elko
Nevada, 89801
Street Address or PO Box City or Town
State and ZIP Code

hereby make(s) application for permission to change the
[checked] Point of diversion [] Place of use [checked] Manner of use [checked] 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.)
A portion of Permit No. 78944 equalling 0.0635 c.f.s. / 46.033 a.f.

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.0636 c.f.s. not to exceed 46.033 AFA / 15 M.G.A.
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Municipal Construction
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 Municipal
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.)
SE 1/4 NW 1/4 Section 10, T35N, R56E, M.D. B. & M. or at a point from which the W 1/4 corner of said Section 10 bears South 72 degrees 55 minutes 15 seconds West, a distance of 1,510.83 feet. As per Permit 53224.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
A point located in the SW 1/4 SE 1/4 of Section 10, T. 35. N. R., 56 E. M.D.B. & M. from which the Southeast West 1/4 Section Corner of Section 10, T. 35. N. R., 56 E. M.D.B. & M., bears North 77 degrees 51 minutes 16 seconds West, a distance of 824.41 feet. said South 59 degrees 58 minutes 19 seconds East
2,438.81

JED Per Email

JED Per Email 4/9/2010

JED Per Email 4/6/2010

49-EL

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

Portions of the following: NW1/4 and NE1/4 Section 1, SW1/4, SE 1/4, and NE 1/4 Section 2, SE 1/4 Section 3, SE 1/4 and NE 1/4 Section 9, NW1/4 and NE1/4 Section 10, T. 35 N., R. 56 E., M.D.B. & M. and NW 1/4 and NE1/4 Section 6, T. 35 N., R. 57 E., M.D.B. & M., along the existing U.S. Interstate - 80 Highway corridor between Osino, Nevada and Ryndon, Nevada.

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.)

As per Permit No. 78870

Portions of the following: SE1/4 SE1/4 Section 3 and Section 10 lying south of the Interstate Highway 80 R/W; W1/2 Section 11 and NW1/4 Section 15 all in T35N, R56E, M.D.B. & M. Place of use is known as the Northeastern Nevada Regional Railport and Industrial Area.

9. Proposed use will be from 01/01 to 12/31 of each year.
Month and Day Month and Day

10. Existing use permitted from 01/01 to 12/31 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.)

Existing 8" Commercial Well fitted with a commercial pump and construction water distribution system

12. Estimated cost of works \$10,000

13. Estimated time required to construct works One Month

If well completed, describe well.

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

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 Municipal Water is to be used by Aggregate Industries Inc. for Construction Water / Dust Abatement for construction of a portion of the East and West Bound U.S. Interstate I-80 Highway corridor from Osino to Ryndon Nevada. Nevada Department of Transportation Project No. 3435.

16. Miscellaneous remarks:

rbrown@elkocountynv.net

E-mail Address

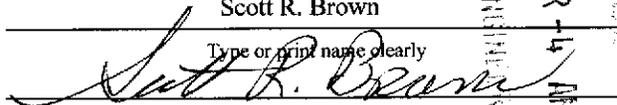
775-738-6816 ex. 212

Phone No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Scott R. Brown

Type or print name clearly



Signature, applicant or agent

Elko County, Nevada

Company Name

540 Court Street, Suite 104

Street Address or PO Box

Elko, Nevada 89801

City, State, ZIP Code

RECEIVED
2011 APR -4 AM 11:44
STATE ENGINEERS OFFICE