

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Las Vegas Valley Basin at Sloan, Nevada - Clark County
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Drilled well (underground water)
Name of ditch, flume or pipe line

at the following point(s): At a point from which the southwestern corner of a
List all points of diversion from this source, appending a sheet if necessary

Section 13, Township 23 South, Range 60 East, M.D.B.&M., Clark
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated
County, Nevada, bears South 68°53'16" West, a distance of
3110.20 feet.

The well is located in the SW 1/4 of the SE 1/4 of said Section 13.
Handwritten: NW 1/4 7/10/96 SE 1/4

(1) Name of claimant Chemical Lime Company
Address P.O. Box 127, BMI Complex, County of Clark
State of Nevada Telephone No. (702) 565-8991

(2) The means of diversion employed 74 HP motor and submersible pump
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was April 15-23, 1996

(4) The construction of the ditch or other works was begun 1912
and completed December 31, 1912.

(5) The dimensions of the ditch or canal as originally constructed were:
Water well: Originally 640' deep, cased to 150' with 12" casing, 30
gpm pump set at 540 feet. Drop pipe, pump, and well have been

(6) The conduit has (has not) been enlarged. replaced.
NOTE-If enlargement or extension of ditch was made, supply information under (7) and (8)

(7) The work of enlargement of the well was begun June 5, 1972 and
completed February 22, 1973

(8) The dimensions of the well replaced 10-3/4 casing to depth of 700',
gravel pack from 500-700 feet around torch perforation casing.

(9) The claimant is owner in the above-described conduit.
Current pump capacity 250+ gpm with little drawdown.

Full ownership interest as owner of the property.
If claimant is an owner in the conduit, state interest held on this line

(10) The nature of the title to the land for which the water right is claimed is Certificated and patented mining locations.

(11) Crops of N/A have been grown upon the land irrigated. (e.g. alfalfa, native hay, grain, orchard, meadow or diversified pasture)

(12) The water has been used for ~~irrigation from~~ mining year round ~~XXXXXXXXXXXXXXXXXXXX~~ of each year. Day of month Day of month

(13) List the year of priority for acreages irrigated prior to March 1, 1905, from all points of diversion previously described, with corresponding subdivisions, appending extra sheets if necessary.

Year	Acres	Subdivisions	Sec	T	R
1912	160	acres in the S $\frac{1}{2}$ S $\frac{1}{2}$ S $\frac{1}{2}$	12	T 23S	R 60 E.
1912	20	acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	12	T 23S	R 60 E.
1912	20	acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$	12	T 23S	R 60 E.
1912	20	acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$	12	T 23S	R 60 E.
1912	20	acres in the S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$	12	T 23S	R 60 E.
1912	40	acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$	13	T 23S	R 60 E.
1912	40	acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$	13	T 23S	R 60 E.
1912	40	acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$	13	T 23S	R 60 E.
1912	40	acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$	13	T 23S	R 60 E.
1912	40	acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$	13	T 23S	R 60 E.
1912	40	acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$	13	T 23S	R 60 E.
1912	40	acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$	13	T 23S	R 60 E.
1912	40	acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$	13	T 23S	R 60 E.
1912	20	acres in the N $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	13	T 23S	R 60 E.
1912	10	acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$	13	T 23S	R 60 E.
1912	40	acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$	13	T 23S	R 60 E.
1912	40	acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$	13	T 23S	R 60 E.
1912	40	acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$	13	T 23S	R 60 E.
1912	20	acres in the N $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$	13	T 23S	R 60 E.
1912	40	acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$	13	T 23S	R 60 E.
1912	20	acres in the N $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$	13	T 23S	R 60 E.
1912	160	acres in the W $\frac{1}{2}$ W $\frac{1}{2}$	18	T 23S	R 60 E.

(14) The maximum acreage irrigated in any year was N/A acres.

(15) The water claimed has ~~(has not)~~ been used for ~~irrigation~~ mining each and every year since the right was initiated.

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5/9/10/2

(16) The years during which no water was used for irrigation or during which the full water right was not used were N/A
If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given, appending a sheet if necessary

(17) The claimant's water right ~~was~~ (was not) recorded in the office of the County Recorder of _____ County, said record being at page _____ of Book _____ of _____, and being a claim for _____ of water for the irrigation of _____ acres of land in the following legal subdivisions:

NOTE—Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation:
Mining of limestone and dolomite, and dust control. Prior to mid 1950s, was used for consumption by more than 300 people.

(19) The character of the soil is N/A (Sandy, gravelly, loam) A continuous flow of _____ cubic feet of water per second has been used to irrigate _____ acres of land and _____ acre-feet per acre per annum have been used to irrigate the crops.

(20) Remarks Chemical Lime and its predecessors have operated a lime mining and processing operation at Sloan, Nevada since 1912.

Peter Boul, the first mayor of Las Vegas, was the first owner of the Sloan facility. By 1914, the mine produced enough limestone and dolomite that new kilns had to be purchased. Evidence indicates that the original well at Sloan operated before March, 1913. There is substantial documentation, including newspaper articles, detailing the operations at the plant during 1912. Furthermore, we have taken the statements of two people familiar with the mining operations at Sloan going back to the time of the mining camp and Peter Boul.

In 1973, Chemical Lime's predecessor commissioned the drilling of a new well to replace the original well. The 1973 well is 700 feet deep and has 10-3/4 inch casing (perforated from 500-700 feet). Allen Water Well Service drilled the new well.

From the early operating years, when much of the water provided consumptive needs for over 300 members of the Sloan mining camp, to 1990, the well produced roughly 30 gpm year round with no measurable drawdown. In 1990, Chemical Lime installed a 250 gpm pump which it used for nine months straight without breaking suction or complaints from the neighboring well owners. Current water use is incident to an overall scheme to mine the mountain, begun in 1912, and is a natural result of the gradual and diligent expansion of the mining enterprise. On this basis, Chemical Lime claims a vested right in the amount of 1 c.f.s.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Chemical Lime Company are full and correct to the best of his knowledge and belief.

BY: Gregory J. Walch, Esq., attorney for Chemical Lime Company

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant

Gregory J. Walch

Gregory J. Walch, Esq.

James, Driggs & Walch

3763 Howard Hughes Parkway, Suite 350
Telephone No. (:702.) 791-0308

Las Vegas, Nevada 89109

Subscribed and sworn to before me this 20th day of May, 1996.



STEPHANIE SYRRAKOS
Notary Public - Nevada
Clark County
My appt. exp. Jan. 12, 1999

Stephanie Syrrakos
Notary Public in and for the County of CLARK

My commission expires 1.12.99

\$100 FILING FEE MUST ACCOMPANY PROOF

STATE OF NEVADA

PROOF OF APPROPRIATION OF WATER FOR IRRIGATION

Source Las Vegas Valley Basin at Sloan, Nevada - Clark County
Name of natural water source (use separate proofs for each major source)

The water is diverted from its source Drilled well (underground water)
Name of ditch, flume or pipe line

at the following point(s) well at Chemstar Lime Co.; NE 1/4, SW 1/4, Sec. 13,
List all points of diversion from this source, appending a sheet if necessary

T235; R60E, Clark County
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated

(1) Name of claimant Chemstar Lime
Address P.O. Box 127, BMI Complex, County of Clark
State of Henderson, Nevada Telephone No. (702) 565-8991

(2) The means of diversion employed 75 HP motor and submersible pump
Dam and ditch, pipe line, flume, etc.

(3) The date of the survey of ditch, canal, or pipe line was N/A

(4) The construction of the ditch or other works was begun Prior to 1939, probably prior to 1913
and completed prior to 1939, probably prior to 1913.

(5) The dimensions of the ditch or canal as originally constructed were: Width on bottom xxxxxx feet, width on top xxxxxx feet, depth xxxxxx feet, on a grade of xxxxxx feet per thousand feet.
Water well: originaly 640' deep cased to 150' with 12" casing, 30 gpm
pump set at 540. Drop pipe, pump, and well have been replaced.

(6) The conduit has (has not) been enlarged.
NOTE-If enlargement or extension of ditch was made, supply information under (7) and (8)

(7) The work of replacement well
enlargement of the ditch or canal was begun June 5, 1972 and
completed February 22, 1973

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C1

(8) The dimensions of the ditch or canal as enlarged are: Width on bottom xxxxxx feet, width on top xxxxxx feet, depth xxxxxx feet, on a grade of xxxxxx feet per thousand feet.
Current pump capacity 250 + gpm with little drawdown.

(9) The claimant is (is not) an owner in the above-described conduit.
the of
Full ownership interest as owner of the property.
If claimant is an owner in the conduit, state interest held on this line

(16) The years during which no water was used for irrigation or during which the full water right was not used were N/A
If water was not used, or used in reduced quantity at any time, full information as to causes and duration of non-use should be given, appending a sheet if necessary

(17) The claimant's water right ~~wax~~ (was not) recorded in the office of the County Recorder of Clark County, said record being at page _____ of Book _____ of _____, and being a claim for _____ of water for the irrigation of _____ acres of land in the following legal subdivisions:

NOTE—Failure to record in the county in no way invalidates a water right, but if ditch or right was so recorded, supply full information under (17)

(18) Water from the source given and through the works described is also used for the following purposes other than irrigation:
Mining of limestone and dolomite, dust control. Prior to mid 1950's was used for consumption by more than 300 people.

(19) The character of the soil is N/A (Sandy, gravelly, loam). A continuous flow of _____ cubic feet of water per second has been used to irrigate _____ acres of land and _____ acre-feet per acre per annum have been used to irrigate the crops.

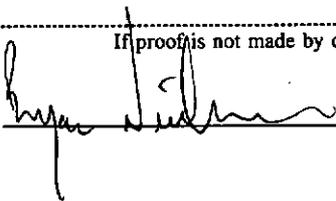
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MAY 19 1953
CLARK COUNTY

(20) Remarks. Chemstar Lime and its predecessors have operated a lime mining and processing operation at Sloan, Nevada since 1912. Pete Boul, the first mayor of Las Vegas, was the first owner of the Sloan facility. By 1914, the mine produced enough limestone and dolomite that new kilns had to be purchased. Evidence indicates that the original well at Sloan operated before March, 1913. In light of the plant's production in 1914 and the statements of the members of the Sloan camp, in the early years, pre-1913 water production can be inferred. In 1973, the U.S. Lime Company commissioned the drilling of a new well to replace the original well. The 1973 well is 700' in depth and has 10-3/4" casing (perforated from 500 to 700 feet). Allen Water Well Service drilled the new well.

From the early operating years, when much of the water provided consumptive needs for over 300 members of the Sloan mining camp, to 1990, the well produced roughly 30 gpm year round with no measurable drawdown. In 1990, Chemstar installed a 250 gpm pump, which it used for nine months straight without breaking suction or complaints from the neighboring well owners. Current water use is incident to an overall scheme to mine the mountain, and is a natural result of the gradual and diligent expansion of the mining enterprise. On this basis, Chemstar claims a vested right to 1 cfs.

The undersigned, being first duly sworn, deposes and says that the facts relative to the appropriation of water by Chemstar Lime Co. are full and correct to the best of his knowledge and belief.

If proof is not made by claimant, deponent should state on this line by virtue of what authority he represents the claimant



Bryan Nielson - Plant Manager
Chemstar Lime Co., P.O. Box 127
Henderson, Nevada 89015

Telephone No. (702) 565-8991

Subscribed and sworn to before me this 2nd day of October, 1992

Maddie Fischer



NOTARY PUBLIC
STATE OF NEVADA
County of Clark
MADDIE FISCHER
My Appointment Expires June 14, 1995

Notary Public in and for the County of Clark

My commission expires June 14, 1995

STATE ENGINEERING OFFICE
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\$100 FILING FEE MUST ACCOMPANY PROOF