

AMENDED

Nº 50713

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office... MAR 20 1987 NEW PRIORITY DATE: JAN 6 1994
Returned to applicant for correction... MAY 7 1987
Corrected application filed... JUL 7 1987
Map filed... JUL 6 1987

The applicant National Convenience Stores, Inc.
100 Waugh Drive of Houston
Texas 77007
Street and No. or P.O. Box No. City or Town
State and Zip Code No.

hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.) Incorporated on December 31, 1979 in the State of Delaware

1. The source of the proposed appropriation is (near surface groundwater at intersection of Charleston and Lamb Boulevards, Las Vegas) Underground

2. The amount of water applied for is 0.033 second-feet
(a) If stored in reservoir give number of acre-feet

3. The water to be used for Environmental Control Purposes (Water will be treated for discharge to sewer.)

4. If use is for:
(a) Irrigation, state number of acres to be irrigated
(b) Stockwater, state number and kinds of animals to be watered
(c) Other use (describe fully under "No. 12. Remarks"
(d) Power:

(1) Horsepower developed 1/3 h.p. per well, 3 wells initially; up to 3 additional wells, as needed.
(2) Point of return of water to stream City of Las Vegas Storm Drain at northwest corner of Charleston and Lamb Boulevards

5. The water is to be diverted from its source at the following point within SE 1/4 of the SE 1/4 of Section 31, T. 20S., R. 62E. M.D.M. or at 3 points from which the southeast corner of said Section 31, bears well 1 S. 56°31'59"E a distance of 193.3 feet; well 3-A S. 25°06'59"E a distance of 189.3 feet; and well 5-A S. 34°29'26"E a distance of 106.3 feet.

6. Place of use (water recovered will have no beneficial use and, after treatment, will be discharged to a nearby storm drain) Portion of the SE 1/4 SE 1/4 Section 31, T.20S., R. 62E., M.D.B. & M.

7. Use will begin about January 1st and end about December 31st, of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) minimum of 3 drilled wells with pump and motor. see also paragraph 4d

9. Estimated cost of works \$10,000

10. Estimated time required to construct works for 10 existing monitor wells, construction required
If well completed, describe works.
2 days. For 3 proposed dewatering wells, anticipated construction time is 1 day.

11. Estimated time required to complete the application of water to beneficial use. No beneficial use of water recovered

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Use of 3 extraction wells as described is part of a remediation program to recover spilled fuel. Up to 3 additional extraction wells may be needed depending on progress of recovery using existing wells and further NDEP requirements.

By s/ Robert F. Kaufmann
Robert F. Kaufmann The MARK Group
2300 Paseo Del Prado, Suite 120
Las Vegas, Nevada 89102

Compared..... pm/se pm/se

Protested.....

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 is issued subject to existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance for pollution control as mandated by orders issued by the Nevada Division of Environmental Protection and subsequent correspondence with said agency. The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and records of this measurement shall be submitted on an annual basis. It is also understood that this right must allow for a reasonable lowering of the static water level of permittee's well due to other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of water granted herein at any and all times.

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.

This permit is issued under the provisions on NRS 534.120(2) as a preferred use. The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and

not to exceed 0.033 cubic feet per second, but not to exceed 7.78 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before October 22, 1988

Proof of completion of work shall be filed on or before November 22, 1988

Application of water to beneficial use shall be made on or before October 22, 1992

Proof of the application of water to beneficial use shall be filed on or before November 22, 1992

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

Completion of work filed APR 15 1988 IN TESTIMONY WHEREOF, I PETER G. MORROS

Proof of beneficial use filed State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22nd day of October

Cultural map filed A.D. 19 87

Certificate No. Issued State Engineer

218 (Rev.)
part Abrogated By 54877-T 0.02205 Temp.

WITHDRAWN BY APPLICANT NOV 17 1994

APR 5 - 1994

CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMITS

Richard J. ... STATE ENGINEER

OK, Rescinded 5/4/94