№ 55116

AMENDED

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUL 25 1990

Returned to applicant for correction AUG 24 1990

Corrected application filed OCT 23 1990

Map filed OCT 23 1990

The applicant Union Pacific Railroad Company - Atten: Engineering Department

1416 Dodge Street (Street and No. or P.O. Box No.), of Omaha (City or Town),

Nebraska (68179) (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.) State of Utah

1. The source of the proposed appropriation is Underground (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is One (One second-foot equals 448.83 gals. per min.) second-feet

   (a) If stored in reservoir give number of acre-feet

3. The water to be used for Quasi-Municipal & Domestic (Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.)

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

      (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point NW¼ SW¼ Section 13, T23S, R60E, (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 so stated.) MDM or at a point from which the Southwest corner of said Section 13 bears, S 21° 56' W a distance of 1960 feet.

6. Place of use NW¼ SW¼ Section 13, T23S, R60E, MDM, being otherwise known as the (Describe by legal subdivision. If on unsurveyed land, it should be so stated.) Sloan Yard.

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day), 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.) Drilled well with pump and tank and a distribution system to trailers at the site. (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

9. Estimated cost of works $10,000.00

10. Estimated time required to construct works One Year
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use Three Years

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

Water use for operation of the Sloan Railroad Yard including domestic uses for Railroad personnel residing on the site from time to time.

By s/ Richard W. Arden Agent
950 Industrial Way
Sparks, Nevada (89431)

Compared am/ mv am/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 followng limitations and conditions:

This permit is issued subject to existing rights and is further subject to revocation if and when water can be furnished by an entity such as a water district or a municipality engaged in furnishing water. 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 water begins, or before the Proof of Completion of Work is filed. It is understood that this right must allow for a reasonable lowering of the static water level. 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. 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.

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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed 1.46 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before March 4, 1993

Proof of completion of work shall be filed on or before April 4, 1993

Application of water to beneficial use shall be made on or before March 4, 1996

Proof of the application of water to beneficial use shall be filed on or before April 4, 1996

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

Completion of work filed MAY 7 - 1993

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 4th day of March, A.D. 19 91.

R. Michael Turnipseed P.E.
State Engineer

(O)-5314 (Rev.)

Abrogated By 59230 wch 8/11/99
however, does not revert back to 55116.