ASSIGNED

AMENDED

No. 57456

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

Date of filing in State Engineer's Office APR 20 1992

Returned to applicant for correction JUN 11 1992

Corrected application filed AUG 05 1992

Map filed AUG 05 1992

The applicant Koch Sulfur Products Company

P.O. Box 2256 (Street and No. or P.O. Box No.), of Wichita (City or Town),

Kansas 67201-2256 (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 in Kansas, January 10, 1940

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

2. The amount of water applied for is .005 second-feet (One second-foot equals 448.83 gals. per min.)

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

3. The water to be used for Commercial (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 N/A

   (b) Stockwater, state number and kinds of animals to be watered N/A

   (c) Other use (describe fully under No. 12. "Remarks" See #12

   (d) Power:

      (1) Horsepower developed N/A

      (2) Point of return of water to stream N/A

5. The water is to be diverted from its source at the following point in Lot 2, Sec. 33, T.33N., R.48E., (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.) MDB&M from which the E¼ corner of Section 33 bears S 40° 32' 22" E a distance of 2483.81 ft.

6. Place of use Lot 1 and Lot 2 Section 33 T.33N. R.48E. MDB&M. (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about August 1 (Month and Day) and end about July 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.) Office use, equipment wash, emergency showers, railspur (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 $7500.00

10. Estimated time required to construct works 4 months
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 years

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

Railcars - (20 gal/car) (18 cars/day) = 360 gpd.

Trucks - (20 gal/truck) (20 truck/day) 400 gpd
Persons (200 gal/24 hr/person) (3 person) = 600 gpd
Fire Chemical Extinguishers only = 0 gpd
Emergency showers (4 units) (5 gpm) (30 min max/day) = 150 gpd
Total = 1510 gpd

By S/Conn Davis
P.O. Box 2256
Wichita, KS 67201-2256

Compared bc/ bc ap/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. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. 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. 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.

(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 0.005 cubic feet per second, but not to exceed 0.5512 million gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 9, 1993

Proof of completion of work shall be filed before December 9, 1993

Application of water to beneficial use shall be filed on or before November 9, 1995

Proof of the application of water to beneficial use shall be filed on or before December 9, 1995

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

Completion of work filed AUG 24 1993

Proof of beneficial use filed SEP 12 1994

Cultural map filed

Certificate No. 14157 Issued JUL 06 1995

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 9th day of November, A.D. 1992

R. Michael Turnipseed P.E.
State Engineer

(PERMIT TERMS CONTINUED)

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 of NRS 534.120(2) as a preferred use.