ENVIRONMENTAL No. 59264 E

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

Date of filing in State Engineer's Office SEP 21 1993

Returned to applicant for correction OCT 07 1993

Corrected application filed

Map filed NOV 08 1993 under 59259-E

The applicant Union Pacific Railroad Company

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.) Incorporated in Utah, articles of incorporation last amended June 24, 1971.

1. The source of the proposed appropriation is underground: "Near-Surface Reservoir" - Las Vegas Valley (depth to water approximately 15 feet) (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is .1 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 Environmental Cleanup - Groundwater Remediation (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 NA

   (b) Stockwater, state number and kinds of animals to be watered NA

   (c) Other use (describe fully under No. 12. "Remarks" Environmental Cleanup-GW Remediation

   (d) Power:

      (1) Horsepower developed NA

      (2) Point of return of water to stream NA

5. The water is to be diverted from its source at the following point Recovery well RW-9 within the SE¼ of the SE¼ of Section 33, T20S, R61E, Mount Diablo Meridian, City of Las Vegas, Clark County, Nevada. At a point from which the center of Section 33, T20S, R61E, MDM, Clark County, Nevada, bears North 37°02'06" West a distance of 3217.84 feet. (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.)

6. Place of use Water will be discharged to the Las Vegas Sanitary Sewer west of the intersection of Commerce Street and Charleston Blvd. within the Southeast ¼ of the Southeast ¼ of Section 33, T20S, R61E, MDM, City of Las Vegas, Clark County, Nevada. (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

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.) Water and diesel will be pumped from recovery well RW-9 using a total fluids pump to an oil/water separator. Water will be diverted through a drain line to Las Vegas city sewer system west of the intersection of Commerce Street and Charleston Blvd. Periodic sampling of discharge will be performed to ensure quality of discharge. (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 + $75,000

10. Estimated time required to construct works 1 month
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 1 month

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

The purpose of the appropriation is to aid in groundwater remediation. This facility is temporary in nature and remediation activities are monitored by the Nevada Division of Environmental Protection. The remediation system will stop once remediation activities are completed and approved by the Division of Environmental Protection.

By s/ Theodore V. Petranoff
USPCI, 5665 Flatiron Parkway
Boulder, Colorado 80301

Compared ab/se ab/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. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion. 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. The State retains the right to regulate the use of water granted herein at any and all times.

* The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

(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 0.1 cubic feet per second, but not to exceed 72.4 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be filed on or before

Proof of the application of water to beneficial use shall be filed on or before

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

ENVIRONMENTAL *SEE PERMIT TERMS

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

ENVIRONMENTAL

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 8th day of February, A.D. 1994.

State Engineer

EXPIRED

DATE OCT 31 2002

(O)-2145 (Rev. 9-89)

(PERMIT TERMS CONTINUED)

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 pursuant to the provisions of NRS 533.4375. Well drillers reports for any well(s) drilled under this permit shall be filed within 30 days from the completion of the well.

Within 30 days after the completion of the project, the permittee shall notify the State Engineer of such completion and all wells shall be plugged and abandoned in accordance with Chapter 534 of the Nevada Administrative Code.