AMENDED

ENVIRONMENTAL

No. 61454 E

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

Date of filing in State Engineer's Office AUG 09 1995

Returned to applicant for correction AUG 23 1995

Corrected application filed SEP 11 1995

Map filed SEP 11 1995

The applicant Southland Corporation (Atten: Bob Vasquez)

3146 Gold Camp Drive #300 (Street and No. or P.O. Box No.), of Rancho Cordova (City or Town),

California, 95670 (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.) November 21, 1961, Texas

1. The source of the proposed appropriation is from an Underground Source (Las Vegas Basin) (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 10.0 GPM= 0.0223 CFS second-feet (One second-foot equals 448.83 gals. per min.)

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

3. The water to be used for Environmental Remedial Purposes (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" Environmental Remedial Purposes

   (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 from which the West one-quarter Section Corner of Section 13, T20S, R61E, MDBM bears N81°56'15"W, 2,434.40 ft., (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.) being located in the NE¼ of SW¼ of Section 13, T20S, R61E, MDBM, Clark County, Nevada.

6. Place of use being a portion of the NE¼ of the SW¼ of Section 13, T20S, R61E, MDBM, (Describe by legal subdivision. If on unsurveyed land, it should be so stated.) further described as follows: Beginning at the intersection of the westerly Right-of-way line of U. S. Highway 91 (Las Vegas Boulevard North) being 150.0 ft. in width and the easterly right-of-way of Evans Avenue being 80.0 ft. in width; Thence N54°06'E on said westerly right-of-way line of U.S. Highway 91 (Las Vegas Boulevard North), 125.0 ft; Thence N35°54'W, 125.0 ft; Thence S 54°06'W to a point in said easterly right-of-way line of Evans Avenue; Thence S 35°54'E on said Easterly right-of-way line, 125.0 ft to the point of beginning. (Southland Corporation 7-11 Store #19653 located at 2725 Las Vegas Boulevard North, Las Vegas, Nevada)

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.) Construct a 4-inch cased well with metal security vault attached at the top, and use air extraction process (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

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9. Estimated cost of works $25,000

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 3 yrs.

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

Water extraction is to be used for environmental remedial purposes.

Avery Engineering Consultants
conducted field survey & mapping
(702) 385-3877

By s/Claire Kahatsu
Kleinfelder, Inc. (Geotechnical, Soils)
& Matt Novak or Claire Kahatsu
6850 So. Paradise Rd.
Las Vegas, NV 89119 (702) 736-2936

Compared cl/bk cl/bk

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 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. 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.
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 0.0223 cubic feet per second, but not to exceed 16.14 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before November 22, 1996

Proof of completion of work shall be filed before December 22, 1996

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 *

Completion of work filed JAN 13 1997

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 22nd day of November, A.D. 95

R. Michael Turnipseed P.E.
State Engineer

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

(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.

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.

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 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.