AMENDED

# ENVIRONMENTAL

NO. 64498-E

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

Date of filing in State Engineer's Office OCT 01 1998

Returned to applicant for correction

Corrected application filed OCT 15 1998

Map filed OCT 15 1998

**********

The applicant **ARCO Environmental Remediation L.L.C.**, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

**********

1. The source of the proposed appropriation is **Underground**

2. The amount of water applied for is **80 gpm or 0.18** second-feet

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

3. The water to be used for **Groundwater Remediation**

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 **Lot 3. Sec. 5 T.13N R.25E. MDB&M 3 wells located at: N62°51'11"E, 1293.36'; N48°21'36"E, 870.93'; N14°44'54"E, 592.69' to the N¼ corner of said section 5.**

6. Place of Use **in evaporation pond, located in Lot 1, SE NE, and NE SE of Sec 5 T.13N., R.25E. MDB&M**

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

8. Description of proposed works **Drilled wells with submersible pumps, pumping water through piping, from well and into evaporation pond.**

9. Estimated cost of works **$100,000**

10. Estimated time required to construct works **One month**

11. Estimated time required to complete the application of water to beneficial use **For remediation to begin, approximately 15 days.**

12. Remarks: **Water will be pumped at a total rate of 80 gpm, from pumping wells, and into a 27 acre evaporation pond. Rates of extraction from each well will be adjusted to match regional evaporation rate. Estimate 54 acre-ft**

By **s/Nick Hatfield**
**1200 S. Parker RD #100**
**Denver, CO 80321**

Compared **dl/cms** dl/cms

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 environmental 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.

This environmental 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.

This environmental permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this environmental 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.

(CONTINUED ON PAGE 2)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.18** cubic feet per second, **but not to exceed 54.0 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

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

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 **21st** day of **October**, A.D. **1998**

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____