

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

Date of filing in State Engineer's Office JAN 22 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed JAN 22 2003

The applicant **Berry-Hinckley Industries** hereby makes 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 **0.025 cfs, 11.22 gpm**
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used **Environmental purposes**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kind 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 **within the SE ¼ of the SE ¼ of Section 32, T.20N., R.20E., M.D.M., or at a point from which the southeast corner of said Section 32 bears South 8°47'40" East a distance of 626.34 feet (MW#1).**
6. Place of Use **within the SE ¼ of the SE ¼ of Section 32, T.20N., R.20E., M.D.M., within Washoe County Assessor's Parcel Number 027-342-06.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Groundwater extraction well and WCDHD approved on-site remediation system. (GAC or granular activated carbon system)**
9. Estimated cost of works **in excess of \$50,000**
10. Estimated time required to construct works **Well is existing. Remainder of works will require two months to complete.**
11. Estimated time required to complete the application of water to beneficial use **2 to 3 years**
12. Remarks: **Groundwater will be treated on site to remove contaminates and discharged into the sanitary sewer system per Washoe County District Health Department order.**

Refer to WCDHD letter dated October 10, 2002 (attached). Estimate volume of water to be pumped, treated and discharged: 500,00 cubic feet annually.

By s/George G. Lindsmith
George G. Lindsmith
Tri State Surveying 1925 E. Prater Way
Sparks, Nevada 89434

Compared sg/ sam lb/cm³

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 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. The right will cease to exist upon termination of clean up activity as determined by the Nevada Division of Environmental Protection. 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. If the well is flowing, a valve must be installed and maintained to prevent waste. 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.

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 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.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.025 cubic feet per second.

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

Proof of completion of work shall be filed before:

Water must be placed to beneficial use 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, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 29th day of May, A.D. 2003


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____