

ENVIRONMENTAL

NO. 69823-E

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

Date of filing in State Engineer's Office _____ APR 04 2003 _____
Returned to applicant for correction _____ MAY 06 2003 _____
Corrected application filed _____ JUN 10 2003 _____
Map Filed _____ JUN 10 2003 _____

The applicant **Estate of Robert E. Cowan, c/o Mackedon, McCormick and King**, hereby make this 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-shallow aquifer in the Carson Desert Hydrographic Basin**
2. The amount of water applied for is **0.056** second-feet
 - (a) If stored in reservoir give number of acre-feet **N/A**
3. The water to be used for **Other**
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-see No. 12 Remarks**
 - (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 **Four wells within the NE ¼ of the NW ¼ of section 31, T19N, R29E. See attached table 1 for distances and bearings from the section corner to the four individual wells.**
6. Place of Use **NE ¼ of the NW ¼ Section 31, T19N, R29E**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Water is diverted by means of four wells with submerged pumps and motors.**
9. Estimated cost of works **Diversion works have been completed.**
10. Estimated time required to construct works **completed**
11. Estimated time required to complete the application of water to beneficial use **Immediately following receipt of an appropriation permit.**

12. Remarks: Water is diverted in order to facilitate remediation of a petroleum hydrocarbon plume on the ground-water surface. Treated water will be discharged to the City of Fallon storm drain system.

Michael F. Mackedon
 By s/Michael F. Mackedon
 Agent for the Estate of Cowan
 P. O. Box 1203
 Fallon, NV 89407

Compared dr/cmf dr/cmf

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 0.056 cubic feet per second, **but not to exceed 40.54 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:

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:

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* 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 RICE, P.E.,

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

this 24th day of November, A.D. 2003

Hugh Rice
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

