

ENVIRONMENTAL

No. 70415-E

ENVIRONMENTAL 3rd AMENDED

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

Date of filing in State Engineer's Office SEP 17 2003
Returned to applicant for correction OCT 07 2003
Corrected application filed JAN 20 2004
Map filed DEC 05 2003

The applicant **7-Eleven, Inc.** 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.) **Date: 11/21/61, Place: Texas**

1. The source of the proposed appropriation is **Underground groundwater aquifer**
2. The amount of water applied for is **0.03 second-feet**
 - (a) If stored in reservoir give number of acre-feet **N/A**
3. The water to be used for **Groundwater remediation**
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") **Groundwater remediation**
 - (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 see attached table
6. Place of Use **SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, Township 20S, Range 61E, M.D.B.M. in Clark County, Nevada Site Address: 7-Eleven Store No. 29659, 1215 East Stewart Avenue, Las Vegas, Nevada**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Drilled well with a dual-phase extraction pump**
9. Estimated cost of works **\$40,000**
10. Estimated time required to construct works **Approximately 4 weeks**
11. Estimated time required to complete the application of water to beneficial use **Approximately 5 years**
12. Remarks: **Groundwater will be extracted from five remediation wells to a treatment compound. Groundwater will be temporarily stored in a 3,000-gallon polyethylene holding tank. Upon filling the tank groundwater will be pumped out via a vacuum truck by EV-Con Recycling. Ev-Con will transport the groundwater to their facility in North Las Vegas for treatment and disposal.**

By s/Paul Santos **PAUL SANTOS**
5755 S. Sandhill Rd. Suite A
Las Vegas, Nevada 89120

Compared cmf/sam ag/ cmf
Protcted _____

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 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.

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.

Environmental Permit 70415-E is granted for environmental remediation for a parcel described by Clark County Assessor's Parcel Number 139-35-211-092.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.03 cubic feet per second, **but not to exceed 21.75 acre-feet annually.**

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

*

Proof of completion of work shall be filed on or 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:

*

* 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 17th day of March, A.D. 2004

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

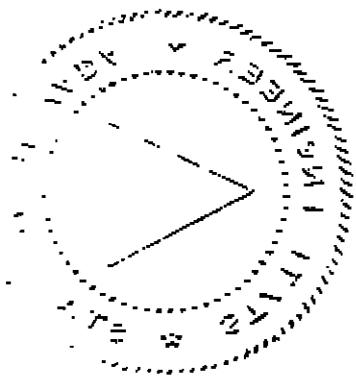


Table 1
Diversion Points

7-Eleven Store No. 29659
1215 East Stewart Avenue
Las Vegas, Nevada

Appropriations Permit No. 70415E

Well	
RW-2	SW 1/4 NW 1/4, Section 35, Township 20S, Range 61E, MDB&M or at a point from which the <u>Center 1/4</u> corner of said Section 35 MDB&M bears N 70° 05' 27" W a distance of 1559.65 feet.
RW-1	SW 1/4 NW 1/4, Section 35, Township 20S, Range 61E, MDB&M or at a point from which the <u>Center 1/4</u> corner of said Section 35 MDB&M bears N 70° 06' 28" W a distance of 1568.38 feet.
MW-3	SW 1/4 NW 1/4, Section 35, Township 20S, Range 61E, MDB&M or at a point from which the <u>Center 1/4</u> corner of said Section 35 MDB&M bears N 70° 16' 06" W a distance of 1591.11 feet.
MW-1	SW 1/4 NW 1/4, Section 35, Township 20S, Range 61E, MDB&M or at a point from which the <u>Center 1/4</u> corner of said Section 35 MDB&M bears N 70° 25' 27" W a distance of 1544.6 feet.
MW-2	SW 1/4 NW 1/4, Section 35, Township 20S, Range 61E, MDB&M or at a point from which the <u>Center 1/4</u> corner of said Section 35 MDB&M bears N 71° 31' 19" W a distance of 1572.69 feet.

RECORDS SECTION

ON JAN 20 PM 1:49

RECORDED

