



**ENVIRONMENTAL**

**THE STATE OF NEVADA  
PERMIT TO APPROPRIATE WATER**

**Name of applicant:** BERRY HINCKLEY INDUSTRIES  
**Source:** UNDERGROUND  
**Basin:** MASON VALLEY  
**Manner of Use:** ENVIRONMENTAL  
**Period of Use:** January 1st to December 31st  
**Priority Date:** 03/14/2007

**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.

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 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.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be **limited to 0.11 cubic feet per second or 79.64 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

**September 13, 2008**

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of September, A.D. 2007

State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

It



5. The water is to be diverted from its source at the following point ..... See Table 1, Diversion Points.....  
Describe as being within a 40-acre subdivision of public

survey, and by course and distance to section corner. If on unsurveyed land, it should be so stated.

6. Place of use .....NW1/4 of the NW 1/4 of Section 15, and the NE 1/4 of the NE 1/4 of Section 16..T.13 N, R.25E.,.....  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about .....Jan. 1..... and end about .....Dec. 31..... of each year.  
Month and Day Month and Day

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.) ....Dual-Phase Extraction (DPE) system to include Four (4) DPE wells,  
State manner in which water is to be diverted, i.e. diversion structure,

equipment and onsite water treatment system.....  
ditches and flumes, drilled well with pump and motor, etc.

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

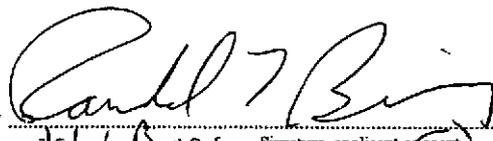
10. Estimated time required to construct works .....1-2 months.....  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use .....2-3 years.....

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

.....N/A.....  
.....  
.....  
.....  
.....

TELEPHONE NUMBER  
(.775.....) .....352-7800.....

By   
Randal L. Driggs Signature, applicant or agent  
.....9480 Double Diamond Parkway Suite 200.....  
Street and No., or P.O. Box No.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

.....Reno, NV 89521.....  
City, State, Zip code No.

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**\$150 FILING FEE MUST ACCOMPANY APPLICATION**

TABLE 1  
DIVERSION POINTS

75442E

Well	Diversion Point
DPE-1	NW1/4, of the NW 1/4, of section 15, Township 13 N., Range 25 E., M.D.M., or at a point from the West 1/4 corner of said section 15 bears N 01° 57'46" E, a distance of 1562.94 feet.
DPE-2	NW1/4, of the NW 1/4, of section 15, Township 13 N., Range 25 E., M.D.M., or at a point from the West 1/4 corner of said section 15 bears N 03° 21'27" E, a distance of 1531.11 feet.
DPE-3	NW1/4, of the NW 1/4, of section 15, Township 13 N., Range 25 E., M.D.M., or at a point from the West 1/4 corner of said section 15 bears N 03° 06'33" E, a distance of 1531.38 feet.
DPE-4	NW1/4, of the NW 1/4, of section 15, Township 13 N., Range 25 E., M.D.M., or at a point from the West 1/4 corner of said section 15 bears N 01° 49'28" E, a distance of 1573.45 feet.