



ENVIRONMENTAL

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

Name of applicant: EL PASO CORPORATION
Source: UNDERGROUND
Basin: DAYTON VALLEY
Manner of Use: ENVIRONMENTAL
Period of Use: January 1st to December 31st
Priority Date: 08/22/2007

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 the amount which can be applied to beneficial use, **and not to exceed 0.37 cubic feet per second or 32.2 acre-feet annually.**

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

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: N/A

Map in support of proof of beneficial use shall be filed on or before: N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of September, A.D. 2007

State Engineer

ENVIRONMENTAL

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Serial No. 76191 E

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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office AUG 22 2007

Returned to applicant for correction

Corrected application filed Map filed JUN 24 2004 under 71246-T

The applicant El Paso Corporation

PO Box 2511 of Houston

Street and No. Or P.O. Box No City and Town

TX, 77252-2511

State and Zip code No. 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.) April 17, 1998. Corporation of the State of Delaware

Is applicant a U.S. citizen? Yes No

Is applicant 21 years of age or older? Yes No

NRS 533.325 requires that applicant be a citizen of the United State or have legally declared their intention to become a citizen, and that they be 21 years of age or older.

1. The source of the proposed appropriation is Underground
Name of stream, lake, spring, underground or other source
2. The amount of water applied for is 0.37 second feet.
One second foot equals 448.83 gallons per minute.
(a) If stored in reservoir give number of acre-feet
3. The water to be used for environmental reclamation
Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kind of animals
 - (c) Other use (describe fully "No. 12. Remarks") Dust control during environmental reclamation activities
 - (d) Power:
 - (1) Horse Power developed
 - (2) Point of return of water to stream

103-55

SW 1/4 SE 1/4

5. The water is to be diverted from its source at the following point SE 1/4 SW 1/4 Sec 6, T16N R21E MDB&M
or at point from which the ^{S 1/2} ~~SW~~ corner of said Sec 6 bears ~~S 89 deg 44 min 27 sec W, distance 1368.7 feet~~
survey, and by course and distance to section corner, If on unsurveyed land, it should be so stated. S. 57°57'30" E. a distance of 1798.5 Feet.

6. Place of use S 1/2 of the SE1/4 Sec 6 T16N R21E, NE 1/4 NW 1/4 and N 1/2 of the NE 1/4 Sec 7 T16N R21E
MDB&M, as shown on map included with Permit # 74033T.

7. Use will begin about January 1 and end about December 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.) Drilled well-pump, in place
State manner in which water is to be diverted, i.e. diversion structure,
ditches and flumes, drilled well with pump and motor, etc

9. Estimated cost of works Cost not fully developed

10. Estimated time required to construct works Well is drilled but not fully outfitted. Once permit is approved, well will be fully outfitted.
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use It is anticipated that project will be completed within 3 months; however weather conditions may extend construction period to 1 year

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
Estimated use for duration of construction activities is 32.2 acre-feet. Construction expected to take a minimum of 10 weeks but could take upto 1 year if construction delays are encountered.
Contact for permit: Mr. Scott Pope, El Paso Corporation
2 North Nevada St
Colorado Springs, CO 80903

TELEPHONE NUMBER
(...719...) 520-4433

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

By [Signature]
Signature, applicant or agent
ATTN: Marc Ferries, PO Box 2511
Street and No., or P.O. Box No.
Houston, TX 77252-2511
City, State, Zip code No.

STATE ENGINEER'S OFFICE
2007 AUG 22 AM 10:51

\$150 FILING FEE MUST ACCOMPANY APPLICATION