

STATE OF MISSISSIPPI

Department of Environmental Quality

Office of Land and Water Resources

P. O. Box 2309

Jackson, Mississippi 39225

PERMIT

TO DIVERT OR WITHDRAW FOR BENEFICIAL USE THE PUBLIC WATERS

This permit is issued to the landowner named below in accordance with the provisions of the Mississippi Water Laws, Mississippi Code Sections 51-3-1, et seq. (1972, as amended), and the regulations and standards as promulgated thereunder. Whether or not specifically named in this permit or in the applications for this permit, anyone using water from the diversion/withdrawal point described below shall do so in compliance with the provisions of this permit. Neither this permit, nor any authority conferred hereby, may be sold, conveyed, encumbered, assigned, or otherwise aliened, for any period of time or under any conditions whatsoever. This permit may not be modified, transferred or revoked without prior action by the Permit Board. Any attempts to modify, transfer or revoke this permit, or to take any other action on this permit, shall be invalid and unenforceable and may result in immediate revocation or suspension of this permit. The holder of this permit shall at all times be responsible for adherence to the terms and conditions of this permit. No agreement between the permit holder and any other party shall affect the obligations and liabilities of the permit holder. Water use under this permit is allowed only when the streamflow, lake level elevation, or static groundwater level (whichever, if any, is applicable) is above the established minimum, pursuant to Mississippi Code Section 51-3-7. Authorization is hereby granted to divert/withdraw water for the beneficial use designated herein, and for no other purpose, subject to the following terms, conditions, and limitations:

Permit Number: MS-GW-15667

Landowner Name: AP HOLDINGS SOUTHAVEN

Landowner Address: ATTENTION: SEAN DAICHMAN
16730 JACINTOPORT BOULEVARD
HOUSTON TX 77015

Source Of Water: MERIDIAN-UPPER WILCOX AQUIFER

Beneficial Use: INDUSTRIAL

Diversion/Withdrawal Location: NW 1/4 of the SW 1/4

Section: 22 **Township:** 01S **Range:** 08W

County: DESOTO

Quad: HORN LAKE

Maximum Volume: 725.9668 Acre-Feet/Year *equivalent to* .648 Million Gallons/Day

Maximum Rate: 1000 Gallons/Minute

Applicant Name: AP HOLDINGS SOUTHAVEN

Applicant Address: ATTENTION: SEAN DAICHMAN
16730 JACINTOPORT BOULEVARD
HOUSTON TX 77015

Date Permit Issued: 04/10/2001

Date Permit Expires: 04/10/2011

Date Permit Modified: 08/31/2009

Date Permit Re-issued:

This permit shall be deemed null and void if construction has not begun within one (1) year of permit issue date

SPECIAL TERMS AND CONDITIONS: SEE ATTACHMENT 1, WHICH IS HEREBY DECLARED TO BE PART OF THIS PERMIT.



Sam Mabry
Office Director