AMENDED

NO. 53951

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

Date of filing in State Engineer's Office OCT 17 1989

Returned to applicant for correction

Corrected application filed MAR 19 1990

Map filed MAR 22 1990 under 53951

****

The applicant **Las Vegas Valley Water District, a quasi-minicipal corporation** hereby makes 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 rock aquifer in Tikapoo Valley (South), Hydrographic area 169-B**

2. The amount of water applied for is **10.0 cfs** second-feet

(a) If stored in reservoir give number of acre-feet

3. The water to be used for **municipal and domestic**

4. If use is for:

(a) Irrigation, state number of acres to be irrigated

(b) Stockwater, state number and kinds of animals to be watered

(c) Other use (describe fully under No. 12. "Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point **located within the SE ¼ NE ¼ Section 29, T.11S., R.61E., M.D.B. & M., or at a point from which the northeast corner of Section 5, T. 9S., R.62E., M.D.B.& M., bears N. 20°26'55" E., a distance of 93,364 feet.**

6. Place of Use **is the area within Clark, Lincoln, Nye, and White Pine Counties See Attached Letter Dated 3-22-90**

7. Use will begin about **January 1** and end about **December 31** of each year.

8. Description of proposed works **water is to be diverted from a 20-inch diameter cased well, via deep well No. 169B-1R pump, pipelines, pumping stations, reservoirs, and distribution system.**

9. Estimated cost of works **$700,000 (well and equipment only)**

10. Estimated time required to construct works **Minimum 20 years**

11. Estimated time required to complete the application of water to beneficial use **Minimum 20 years**

53951

12. Remarks: **The water sought under this application shall be placed to a beneficial use within the Las Vegas Valley Water District service area as set forth in Chapter 752, Statutes of Nevada 1989, or as may be amended. Water may also be served and beneficially used by lawful users within the Lincoln, Nye, and White Pine Counties. Water will be commingled with other water rights owned or served by applicant, or it's designee. See attached letter dated 3-22-90.**

By s/ Alan F. Walter
Alan F. Walter, P.E., N.S.W.R.S., No. 506
3700 West Charleston Boulevard
Las Vegas, Nevada 89153

Compared lt/ gkl lt/gkl

Protested See Protest File Pro. Overruled 1-4-05 See Ruling #5465

****

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 permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 53950 and 53951 shall not exceed 1,700 acre-feet annually.

The issuance of this 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.

A monitoring program must be approved by the State Engineer prior to the diversion of any of the water permitted for appropriation under this permit.

If significant impacts to existing water rights are demonstrated, the Applicant, or any assignee, will be required to mitigate the same, up to and including, cessation of pumping.

The State retains the right to regulate the use of the water herein granted at any and all times.

The place of use of water appropriated by this permit is restricted to Clark County, Nevada.

(CONTINUED ON PAGE 3)

53951

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **10.0** cubic feet per second, **but not to exceed 1,700 acre-feet annually.**

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

March 14, 2008

Proof of completion of work shall be filed on or before:

April 14, 2008

Water must be placed to beneficial use on or before:

March 14, 2015

Proof of the application of water to beneficial use shall be filed on or before:

April 14, 2015

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

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **14th** day of **March** A.D. **2005**

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

53951

Hill Cassas deLipkau and Erwin

A PARTNER IN

Sherman & Howard

SUITE 300 HOLCOMB PROFESSIONAL CENTER
333 HOLCOMB AVENUE
POST OFFICE BOX 2790
RENO, NEVADA 89505

TELEPHONE: 702 323-1601
TELECOPIER: 702 348-7250
TELEX: 6971967

WITH OFFICES IN:
ALBUQUERQUE
COLORADO SPRINGS
DENVER
SANTA FE
SOUTHEAST DENVER

March 22, 1990

Ms. Christine Thiel
Division of Water Resources
201 South Fall Street
Carson City, Nevada 89710

Re: Las Vegas Valley Water District - Applications 53947 through 54092, Inclusive, and 54105 & 54106

Dear Ms. Thiel:

This will serve as a supplement to the above referred to applications to appropriate. Please attach a copy of this letter to each application, except 54037 and 54067, which were withdrawn.

1. Question 6, entitled "Place of Use", shall be supplemented as follows: Within Lincoln County, as defined in NRS 243.210-243.225, inclusive; within Nye County, as found in NRS 243.275-243.315, inclusive; within White Pine County, as found in NRS 243.365-243.385, inclusive; and within Clark County, as found within NRS 243.035-243.040, inclusive.

2. Question 12, entitled "Remarks". Pursuant to NRS 533.340(3), the approximate number of additional persons to be served is 800,000, which is in addition to the current approximately 618,000 persons. The applications seek groundwater in excess of 300,000 acre-feet, which represents all unappropriated groundwater in the particular groundwater basins and the Virgin River (Application 54077). The projected population of the service area in Clark County is estimated to be 1,400,000 at Year 2020. Population projects are currently being updated by Clark County Comprehensive Planning. The population to be served in Lincoln, White Pine and Nye Counties is not yet know, but is to be included within the applied for volume.

Very truly yours,

HILL CASSAS de LIPKAU and ERWIN

By Ross E. de Lipkau
Ross E. de Lipkau

REd/lbe