AMENDED

No. 59551

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

Date of filing in State Engineer's Office DEC 1 1993

Returned to applicant for correction FEB 9 1994

Corrected application filed APR 8 1994

Map filed APR 8 1994 under 59543

The applicant WestPac Utilities, a division of Sierra Pacific Power Company

P.O. Box 30028 (Street and No. or P.O. Box No.), of Reno (City or Town),

Nevada 89520-3028 (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.) 5/5/65, Nevada

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 3.0 cfs - 2,172 ac.ft./annum (One second-foot equals 448.83 gals. per min.) second-feet

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

3. The water to be used for Municipal and Domestic (Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.)

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 within the SW¼ SE¼ of Section 13, T20N, R18E, MDM or at a point from which the NE corner of Section 13, T20N, R18E, MDM, bears N 23°49'23" E 5604.47 feet.
   (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.)

6. Place of use The certificated water service area of Sierra Pacific Power Company as described in the legal description and shown on the map on file with the State Engineer's Office, Division of Water Resources
   (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day), of each year.

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.) Water will be diverted from a drilled and cased well to existing company facilities, treated and placed into existing distribution system
   (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

59551

9. Estimated cost of works Approximately $ 100,000.00

10. Estimated time required to construct works 2 years
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 10 years

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

SEE ATTACHMENTS A

By s/Susan L. Oldham
c/Philip G. Seges
Philip G. Seges, President WestPac Utilities
P.O. Box 30028
Reno, Nevada 89520-3028

Compared pm/js

Protested See File 6/24/94 by; Humboldt River Basin Water Authority, 1/5/94; Silver Lake Water Distribution Company, Inc.

DENIAL 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 application is hereby denied on the grounds that its approval would threaten to prove detrimental to the public interest. No ruling is made on the merits of the protests.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed ______ cubic feet per second ______

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

Proof of completion of work shall be filed before ______

Application of water to beneficial use shall be filed 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 ______

Completion of work filed ______

Proof of beneficial use filed ______

Cultural map filed ______

Certificate No. ______ Issued ______

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 27th day of February, A.D. 2006

Hugh Ricci, P.E.
State Engineer

ATTACHMENT A - AMENDED APPLICATION NO. 59551

AMENDED APPLICATION FOR PERMISSION TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA BY WESTPAC UTILITIES, A DIVISION OF SIERRA PACIFIC POWER COMPANY ("Sierra Pacific")

ITEM NO. 15 - REMARKS:

Sierra Pacific intends to develop municipal production wells within the areas defined by Application No.s 59543 through 59576. The water developed will be provided to existing and new customers within present and future service areas of Sierra Pacific. The proposed source of water is the fractured bedrock aquifers. The total combined duty of New Application No.s 59543 through 59576 is ultimately intended to be 4,125 acre feet annually. The proposed total combined duty of 4,125 acre feet annually is intended to be a new appropriation of groundwater.

Application No.s 59543 through 59576 have been filed in Lemmon Valley Hydrogeographic Basin No. 92 within an identified bedrock aquifer target area. A request is being made in the above 34 applications to appropriate a total combined duty of 4,125 acre feet annually. Based on the assumption that a municipal production well in this target area will produce approximately 800 gallons per minute or more, a total of six to eight production wells for this target area may be required to provide 4,125 acre feet annually.

The Applicant plans to locate these six to eight production well sites by filing applications for waivers in accordance with NRS § 534.050(2). After the six to eight production well sites are located, approximately 26 to 28 of Application No.s 59543 through 59576 (34 total applications) will be withdrawn. The remaining 6 to 8 applications located at the production well sites will not be withdrawn but will remain in place for final certification.

In the past, several applications to appropriate groundwater filed in the Lemmon Valley hydrogeologic basin have been denied by the Division of Water Resources. This attachment is a request to withhold making a decision on Application No.s 59543 through 59576 until hydrogeologic studies, exploration, and testing are completed within Lemmon Valley. The results will be presented to the Division of Water Resources to further clarify the capabilities of the bedrock aquifer.