Application No. 64040

THE STATE OF NEVADA

APPLICATION TO APPROPRIATE WATER

Name of Applicant:	**DRY LAKE WATER, L.L.C.**
Source:	**UNDERGROUND**
Basin:	**GARNET VALLEY**
Manner of Use:	**QUASI-MUNICIPAL**
Period of Use:	**JANUARY 1ST THROUGH DECEMBER 31ST**
Priority Date:	**04/17/1998**

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DENIAL OF STATE ENGINEER

The protests to this application are hereby upheld in part and the application is hereby denied on the grounds that there is no unappropriated groundwater at the source of the supply, the proposed use would conflict with existing rights in the Order 1169 basins and the proposed use of the water would threaten to prove detrimental to the public interest in that it would threaten the water resources upon which the endangered Moapa dace are dependent. No ruling is made on the merits of the remaining protest grounds.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 29th day of January, 2014.

P.E.

State Engineer

AMENDED

NO. 64040

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

Date of filing in State Engineer's Office APR 17 1998

Returned to applicant for correction MAY 13 1998

Corrected application filed JUN 15 1998

Map filed JUN 16 1998 under 64037

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The applicant Dry Lake Water, L.L.C., hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is underground source in Basin 216

2. The amount of water applied for is 10 second-feet

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

3. The water to be used for quasi municipal

4. If use is for:

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

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

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

   (d) Power:
      (1) Horsepower developed n/a

      (2) Point of return of water to stream n/a

5. The water is to be diverted from its source at the following point within the NW¼ NW¼ Sec. 29, T17S, R64E, MDM, from which the the NW corner of Sec. 29 bears N 14° 52' W, 148 feet.

6. Place of Use (see attached list)

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

8. Description of proposed works water is to be diverted from wells through pipelines to storage tanks in place of use (see map). Design of system depends on amount and location of water developed.

9. Estimated cost of works unknown

10. Estimated time required to construct works five years

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

12. Remarks: Dry Lake Water, L.L.C. intends to be the distributor of water to the commercial/industrial developments in the Apex Industrial Park. The applicant has applied for water rights in five enclosed basins, for

40,000 acre feet on each application. The applicant is requesting, however, a total of 40,000 acre feet combined from all applications for use in the defined place of use. The applicant intends to tap the deep carbonate aquifer.

By s/Richard V. Wyman
Richard V.Wyman, Agent, WRS #387
P. O. Box 60473
Boulder City, NV 89006-0473

Compared my/cms

Protested 8/10/98 Nevada Power Company; 8/26/98 USDI, National Park Service; 8/26/98 US Fish & Wildlife

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_____ 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:

Dry Lake Water, L.L.C.
Application for Permit 64040

June 8, 1998

AMENDED PLACE OF USE

6. **Place of use**: The exact places of use within the Apex Industrial Park are all within the "place of use" boundary on the map accompanying the applications. The description of the lands within that boundary are more specifically listed below:

Township 17 South, Range 63 East:	Parts of Sections 32 and 33
Township 18 South, Range 63 East:	Parts of Sections 3,4,5,8,9,10,11,13,14,17,19,20,22, 23,24,26,27,28,29,30,31,32,34 and 35 and all of Sections 18 and 33
Township 19 South, Range 63 East:	Parts of Sections 2,3,4,5,6,7,8 and 9