

TEMPORARY

No. 67595-T

TEMPORARY

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office MAY 21 2001

Returned to applicant for correction _____

Corrected application filed _____

Map filed FEB 13 1990 under 54232

The applicant **Las Vegas Valley Water District** hereby makes application for permission to change the **point of diversion, manner of use, and place of use of a portion of water** heretofore appropriated under **Permit 54073**

1. The source of water is **underground**
2. The amount of water to be changed **1.136 second-feet, 500 acre-feet annually**
3. The water to be used for **power generation and related uses and domestic**
4. The water heretofore permitted for **municipal and domestic**
5. The water is to be diverted at the following point **within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16, T.18S., R.63E., MDB&M, Clark County, Nevada, at a point from which the NE corner of said Section 16 bears N. 78° 18' 25" E., a distance of 4154.45 feet (as shown on map for Permit 54232).**
6. The existing permitted point of diversion is located within **Lot 1 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 32, T.17S., R.63E., MDB&M, Clark County, Nevada, at a point from which the SW corner of said Section 32 bears S. 39° 06' 46" W., a distance of 465 feet.**
7. Proposed place of use **N $\frac{1}{2}$ SE $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Section 5, T.18S., R.63E., and the access road passing through the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, T.17S., R.63E., and the SW $\frac{1}{4}$ Section 33, T.17S., R.63E., all of MDB&M, Clark County, NV, as shown on Exhibit A-1 of a deed recorded April 16, 2001, in book 20010416 as document number 01904 of official records, Clark County, NV.**
8. Existing place of use **within Clark, Lincoln, Nye, and White Pine counties as set forth within NRS 243.035-243.385, and as described within Amended Application No. 54073.**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **January 1 to December 31** of each year.
11. Description of proposed works **Water will be diverted through an existing well located on Kerr McGee's facility with Kerr McGee's permission. A 6" temporary pipeline will be constructed along with on-site storage.**
12. Estimated cost of works **\$50,000.**
13. Estimated time required to construct works **Two weeks.**
14. Estimated time required to complete the application of water to beneficial use **N/A (temporary permit)**

15. Remarks: Water under this temporary application to change will be used by Mirant Las Vegas, LLC in connection with the company's construction of a power generation facility within Garnet Basin.

By s/David A. Donnelly
David A. Donnelly
1001 S Valley View Blvd.
Las Vegas, Nevada 89153

Compared my/cmf ds/cmf

Protested _____

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 temporary permit to change the point of diversion, place of use, and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 54073 is issued subject to the terms and conditions imposed in said Permit 54073 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and 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 the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

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

The issuance of this temporary 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.

The water authorized under this permit must only draw from the Carbonate Aquifer System.

The total combined duty of water under Permits 54073, 54074, and Temporary Permit 67595-T shall not exceed 2,200 acre-feet annually.

This well must be separately metered from existing Permit 55674.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **July 9, 2002** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.136 cubic feet per second, but not to exceed 500 acre-feet annually.

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

Proof of completion of work shall be filed before:

Water must be placed to beneficial use 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:

TEMPORARY

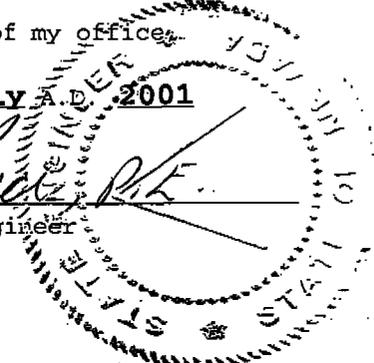
IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 10th day of July A.D. 2001

Hugh Ricci, P.E.
State Engineer



WITHDRAWN BY APPLICANT OCT 23 2001
Hugh Ricci, P.E. STATE ENGINEER

EXPIRED
DATE JUL 09 2002

