

# TEMPORARY

No. 68056-T

## 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 OCT 03 2001

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed FEB 13 1990 under 54232

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

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1. The source of water is **underground**
2. The amount of water to be changed **1.136 second-feet, not to exceed 500 acre-feet annually**
3. The water to be used for **municipal**
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., M.D.B.&M., or at a point from which the southwest 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 $\frac{1}{4}$  of Section 33, T.17S., R.63E., all MDB&M, Clark County, Nevada as shown on Exhibit A-1 of a deed recorder April 16, 2001, in book 20010416 as document number 01904 of official records, Clark County, Nevada, and the area described as follows:**

**BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE $\frac{1}{4}$ ) OF SAID SECTION 15; THENCE ALONG THE EAST LINE OF SAID SECTION 15, SOUTH 00° 20' 54" EAST, 1320.60 FEET; THENCE CONTINUING ALONG SAID EAST LINE, SOUTH 00° 20' 30" EAST, 17.48 FEET TO A POINT ON THE NORTHWESTERLY BOUNDARY OF A TRANSPORTATION AND UTILITY CORRIDOR RESERVATION NUMBER N-52787; THENCE DEPARTING SAID EAST LINE AND ALONG SAID NORTHWESTERLY BOUNDARY, SOUTH 58° 50' 17" WEST, 1536.92 FEET; THENCE DEPARTING SAID NORTHWESTERLY BOUNDARY, NORTH 00° 21' 05" WEST, 2122.78 FEET; THENCE NORTH 00° 21' 35" WEST, 1569.27 FEET; THENCE NORTH 89° 31' 34" EAST, 1320.03 FEET TO A POINT ON THE AFOREMENTIONED EAST LINE OF SECTION 15; THENCE ALONG SAID EAST LINE, SOUTH 00° 21' 43" EAST, 1569.57 FEET TO THE POINT OF BEGINNING.**

**Above place of use located within the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$  and portions of NE $\frac{1}{4}$  NE $\frac{1}{4}$  and SE $\frac{1}{4}$  SE $\frac{1}{4}$ , all in Sec. 15, T.18S., R.63E, MDB&M.**

8. Existing place of use is the area within Clark, Lincoln, Nye, and White Pine Counties. See letter attached to Permit 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.

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11. Description of proposed works ~~water will be diverted through an exiting well located on Kerr McGee's facility with Kerr McGee's permission.~~ A temporary pipeline along with on-site storage will be constructed to deliver the water to places of use.

12. Estimated cost of works \$50,000.00

13. Estimated time required to construct works Eight weeks

14. Estimated time required to complete the application of water to beneficial use N/A

15. Remarks: Water under this change will be used by both Mirant Las Vegas, LLC and Duke Energy in connection with the two companies construction of power generating facilities in the Apex area.

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

Compared my/cam hf/cmf

Protested \_\_\_\_\_

WITHDRAWN BY APPLICANT JUN 24 2002

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*Justinacci, P.E.*  
STATE ENGINEER

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 temporary permit must only draw from the Carbonate Aquifer System.

The total combined duty of water under Permits 54073, 54074, 67650, and Temporary Permit 68056-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 **October 22, 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:

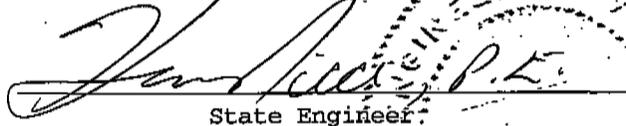
Map in support of proof of beneficial use shall be filed on or before:

**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 23rd day of October A.D. 2001

  
State Engineer

**EXPIRED**  
**DATE** OCT. 22 2002 *CMC*

