

# TEMPORARY

No. 70441-T

## AMENDED

### 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 \_\_\_\_\_ **DEC 08 2004**

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

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

Map filed \_\_\_\_\_ **DEC 22 2004**

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The applicant **Lake Las Vegas Joint Venture, Inc**, hereby makes application for permission to change the **Point of Diversion** water heretofore appropriated under **Permit No. 53829**

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1. The source of water is **Underground**
2. The amount of water to be changed **diversion rate 1.0 cfs, duty up to 723.97 acre-feet**
3. The water to be used for **Quasi-Municipal**
4. The water heretofore permitted for **Quasi-Municipal**
5. The water is to be diverted at the following point **SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Section 22, T.21 S., R63 E., M.D.B.&M. or at a point from which the SW corner of said Section 22, bears S. 70° 45' 06'' W a distance of 414.723 feet. Located on parcel number 160-22-410-029: Boulder Dam Park Tract #1, plat book 1 page 65, lots 23 block 9 & lots 24-26**
6. The existing permitted point of diversion is located within **NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, of Section 22, Township 21 South, Range 63 East M.D.M. at a point 1921.88 feet along a bearing of S 44° 00'33''W to the SW corner of Section 22, Township 21 South, Range 63 East, M.D.M.**
7. Proposed place of use **The Lake Las Vegas Resort, Portions of Sections 14, 15, 22, 23 Township 21 South, Range 63 East M.D.B.&M**
8. Existing place of use **The Lake Las Vegas Resort, Portions of Sections 14, 15, 22, 23 Township 21 South, Range 63 East M.D.B.&M**
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 **Exploratory well to develop sufficient volume of ground water for determination of treatment feasibility of the non-potable water within the Horsesprings formation**
12. Estimated cost of works **\$ 1,700,000.00**
13. Estimated time required to construct works **1 year to drill minimum nominal 18-inch diameter exploratory well to evaluate water quality and quantity of Horsesprings formation**
14. Estimated time required to complete the application of water to beneficial use **5 years**

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15. Remarks: 18-inch diameter exploration well drilled to a depth of 2,500 feet below land surface. Should a sufficient volume of ground water and desirable water quality be encountered, exploratory well will be completed as a production well. Exploratory well will be drilled on parcel 160-22-410-29

By Steve Weber, Agent  
s/Steve Weber  
1605 Lake Las Vegas Parkway  
Henderson, Nevada 89011

Compared ag/dl ag/ cmf

Protested \_\_\_\_\_

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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 of the waters of an underground source as heretofore granted under Permit 53829 is issued subject to the terms and conditions imposed in said Permit 53829 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.

The total combined duty of water under Permits 46029, 46030, 53829; 53831, 56150, and Temporary Permit 70441-T is initially limited to 2200 acre-feet. At least four groundwater monitoring wells are to be located or installed within the general area of the production well under this permit at locations approved by the State Engineer. These monitoring wells must be installed prior to any diversion of groundwater allowed by this permit. The monitoring wells must penetrate at least 75 feet below the existing water table. The total combined duty of water allowed under Permits 46029, 46030, 53829, 53831, 56150 and Temporary Permit 70441-T may be raised to a maximum of 4400 acre-feet in stages and as approved and authorized by the State Engineer only after the State Engineer has determined that the additional withdrawal will not adversely affect existing rights or the groundwater resource, and upon showing that the withdrawal of water is developed in the Horse Springs Formation. The permittee will maintain pumping records on the amounts of water withdrawn and submit copies of these records to the State Engineer on a monthly basis. Water level measurements will be maintained on the monitoring wells and copies of these records will be submitted to the State Engineer on a monthly basis.

All of the applicant's permanent wells that are located within a quarter mile of the Las Vegas Wash and/or penetrate shallow portions of the Muddy Creek Formation will be constructed with a minimum of 100 feet of cemented casing below the elevation of the adjacent wash.

All of the applicant's permanent wells must be constructed so that they draw only upon the Horse Springs Formation as a source for groundwater appropriation.

This permit is issued subject to the State Engineer's Ruling 3724 dated July 12, 1990.

(CONTINUED ON PAGE 3)

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **March 24, 2005** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **1.0** cubic feet per second, **but not to exceed 723.97 acre-feet annually.**

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

Proof of completion of work shall be filed on or 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:

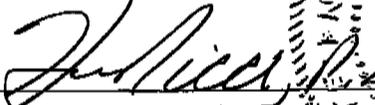
Map in support of proof of beneficial use shall be filed on or before:

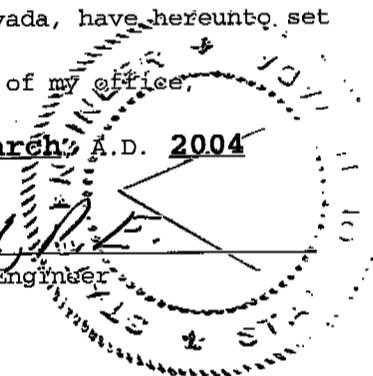
**TEMPORARY**

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

State Engineer of Nevada, have hereunto set  
my hand and the seal of my office,

this **25th** day of **March**, A.D. **2004**

  
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State Engineer



**EXPIRED**  
**DATE** **MAR 24 2005** DR

