

TEMPORARY

No. 71521-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 AUG 02 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 02 2004

The applicant **Greg A. Febbo, Agent for the 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 **.50 c.f.s.**
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 NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, Township 18 South, Range 63 East, M.D.M., Clark County, NV, at a point from which the SE corner of said Section 5 bears South 38°35'37" East, a distance of 1968.46 feet.**
6. The existing permitted point of diversion is located within **Lot 1 (SW $\frac{1}{4}$ SW $\frac{1}{4}$) Section 32, Township 17 South, Range 63 East, M.D.B.&M., Clark County, NV, at a point from which the SW corner of said Section 32 bears South 39°06'46" West, a distance of 465 feet.**
7. Proposed place of use **within the SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 18 South, Range 63 East, M.D.M., Clark County, Nevada.**
8. Existing place of use **Within Clark, Lincoln, Nye, and White Pine Counties as set forth within NRS 243.035-243.385.**
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 a well pipeline and distribution system.**
12. Estimated cost of works **\$400,000**
13. Estimated time required to construct works **One Year**
14. Estimated time required to complete the application of water to beneficial use **5 years**
15. Remarks: **Water under this temporary change application will be used for testing and operation of power generation facilities within Garnet Basin. It is understood that all Permits and Applications which seek to change a portion of base right 54073 and 54074 (including 54073 and 54074) will have a total combined duty not to exceed 2,200 acre-feet per annum.**

By **Greg A. Febbo, Agent for LVVWD**
s/Greg A. Febbo
1900 East Flamingo Road, Suite 180
Las Vegas, NV 89119

Compared sg/sam ag/sam

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 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.

The well authorized under this permit must be drilled into and only draw water from the carbonate system.

The total combined duty of water under Permits 54073, 54074, 67650, 68822 and Temporary Permit 71521-T shall not exceed 2,200 acre-feet annually.

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.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **March 7, 2005** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

Water from this temporary permit is issued for testing of the power plant only and shall not be issued for power production.

(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 0.50 cubic feet per second, but not to exceed 220 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:

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

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

this 8th day of September, A.D. 2004



State Engineer

TEMPORARY

EXPIRED
DATE ~~MAR 07 2005~~