

No. 72727

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 11 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 09 2005 under 72500

The applicant **Granite Fox Power, LLC** a Delaware limited liability company hereby makes application for permission to change the **point of diversion, place and manner of use** of water heretofore appropriated under **Proof No. 02675**

1. The source of water is **Roundhole Spring**
2. The amount of water to be changed **662 acre-feet seasonally**
3. The water to be used for **Industrial Power Generation, and Domestic**
4. The water heretofore permitted for **Irrigation and stockwatering**
5. The water is to be diverted at the following point **SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 4 T30N, R19E, MDM or at a point from which the NW corner of said Section 4 bears N 52° 24' 50" W, a distance of 3,813.4 feet**
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 12 T28N, R19E, MDB & M from which the $\frac{1}{4}$ cor, between sections 1 and 12 of said township bears N 25°02'W 1,060 feet.**
7. Proposed place of use **See Attachment "A"**
8. Existing place of use **See Attachment "B"**
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **April 15th to October 15th** of each year.
11. Description of proposed works **Refer to attached description.**
12. Estimated cost of works **Each well will cost approximately \$200,000.00, total water system will be approximately \$30 million.**
13. Estimated time required to construct works **5 years**
14. Estimated time required to complete the application of water to beneficial use **10 years**

72727

15. Remarks: See attachment "C"

By Ross E. de Lipkau, Agent
s/ Ross E. de Lipkau
P. O. Box 2790
Reno, Nevada 89505-2790

Compared mt/ ag

Protested _____

Attachment "A"

Proposed Place of Use

T33N R22E MDM Washoe County, Nevada

Section 3; W1/2 SW1/4

Section 4; SE1/4

Section 9; NE1/4, E1/2 NW1/4, SE1/4, E1/2 SW1/4

Section 10; W1/2 NW1/4, W1/2 SW1/4

Section 15; W1/2 NW1/4

Section 16; E1/2 NW1/4, NE1/4, E1/2 SW 1/4 *AE*

Section 21; W1/2 NE1/4, E1/2 NW1/4, E1/2 SW1/4

Section 27; SW1/4 NE1/4, NW1/4 SE1/4, NW1/4, N1/2 SW1/4

Section 28; NE1/4, N1/2 SE1/4, NE1/4 NW1/4, S1/2 NW1/4, N1/2 SW1/4

Section 29; E1/2 SE1/4

Containing 2,557± acres

Attachment "B"

(14) The date of culture, number of acres and legal description of the land irrigated in subsequent years:

1887, 9.7 acres in the Lot 19 of Sec. 1, T. 28N., R. 19E.
 Year " 18.0 acres in the Lot 20 of Sec. 1, T. " , R. " E.
 " 11.3 acres in the N.W. 1/4 N.W. 1/4 of Sec. 7, T. " , R. 20 E.
 " 16.7 acres in the S.W. 1/4 N.W. 1/4 of Sec. 7, T. " , R. " E.
 " 39.5 acres in the Lot 4 of Sec. 12, T. " , R. 19 E.
 " 29.8 acres in the Lot 9 of Sec. 12, T. " , R. " E.
 " 16.3 acres in the N.W. 1/4 N.E. 1/4 of Sec. 12, T. " , R. " E.
 " 14.2 acres in the Lot 8 of Sec. 12, T. " , R. " E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.
 _____, _____ acres in the _____ of Sec. _____, T. _____, R. _____ E.

(15) The maximum acreage irrigated in any year was 16.55 acres.

Attachment "C"

Line 15 Additional Remarks

- 1) Use map on file for location of existing Point of Diversion and Place of Use.
- 2) Use supporting map for permit # 72555 and #72500 for Points of Diversion and Place of Use.
- 3) This application to change is being filed in the name of Granite Fox Power, LLC, a Delaware limited liability company. At a later date, simultaneously to or prior to the State Engineer granting the application to change, the chain of title will be complete from the owner of record as reflected on the State Engineer's records to the Applicant. The Applicant intends to construct a 1450 megawatt coal fired power plant, which power plant will be equipped with state of the art environmental controls.

The total consumptive duty to be placed to be beneficial use and utilized at the plant, will be determined upon filing the Proofs of Application of Water to Beneficial Use. The water transferred pursuant to this application to change is based upon previously permitted water rights, or claims of vested rights. New appropriations of water are not being sought by the Applicant.

- 1) Surface water will be allowed to naturally infiltrate in the stream channel to be withdrawn by proposed wells.