Permit No. 76861

# THE STATE OF NEVADA

## PERMIT TO APPROPRIATE WATER

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| **Name of applicant:** | **NEVADA COGENERATION ASSOCIATES #2** |
| **Source:** | **EFFLUENT** |
| **Basin:** | **BLACK MOUNTAINS AREA** |
| **Manner of Use:** | **STORAGE** |
| **Period of Use:** | **January 1st to December 31st** |
| **Priority Date:** | **03/27/2008** |

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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 primary permit is issued under the authority of NRS 533.440 (Secondary Applications are required for the use of the appropriated effluent) and is only a temporary allowance and the quantity granted may exceed the effluent discharged. The final water right obtained will be dependent upon the amount of effluent actually placed to beneficial use under the secondary permits. A totalizing meter must be installed at the discharge near the point of diversion and accurate measurements must be kept of effluent discharged. Granting of this permit is not intended in any way to waive or affect authority or requirements of appropriate water quality control agencies or regulations. This permit is further issued subject to the provisions of NRS 533.395 and the State retains the right to regulate the use of water herein granted at any and all times.

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

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The point of diversion and place of use are as described on the submitted application to support this 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 0.385 cubic feet per second or 278.73 acre-feet annually.**

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| Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: | **September 8, 2010** |
| Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: | **N/A** |
| Map in support of proof of beneficial use shall be filed on or before: | **N/A** |

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 8th day of **September**, A.D. **2008**

Tracy Taylor P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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AMENDED

Serial No....76861.....

# APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR. OFFICE USE ONLY

Date of filing in State Engineer's Office .....MAR 27 2008.....

Returned to applicant for correction .....APR 01 2008.....

Corrected application filed .....MAY 0 1 2008.....Map filed MAR 2 7 2008.....

The applicant NEVADA COGENERATION ASSOCIATES #2

420 N. NELLIS BLVD., #A3-117 (Street and No. Or P.O. Box No) of Las Vegas (City and Town)

NV 89110 (State and Zip code No) hereby make s application for permission to appropriate

the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members

INCORPORATED IN THE STATE OF NEVADA, FEBRUARY 1,1991

1. The source of the proposed appropriation is EFFLUENT (PRIMARY) (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 0.385 SECOND FEET (0.249 MGD) (One second foot equals 448.83 gallons per minute.) second feet.

(a) If stored in reservoir give number of acre-feet LESS THAN 41 ACRE-FT.

3. The water to be used for STORAGE (Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use)

4. If use is for:
   - (a) Irrigation, state number of acres to be irrigated
   - (b) Stockwater, state number and kind of animals
   - (c) Other use (describe fully "No. 12. Remarks")
   - (d) Power:
     - (1) Horse Power developed
     - (2) Point of return of water to stream

**AMENDED**

5. The water is to be diverted from its source at the following point IN NORTHEAST QUARTER (NE1/4)
Describe as being within a 40-acre subdivision of public

OF THE SOUTHWEST QUARTER (SW1/4) OF SECTION 7, T. 20 S., R. 64 E., M.D.B.&M, OR AT A
survey, and by course and distance to section corner, If on unsurveyed land, it should be so stated.

POINT FROM WHICH THE NORTHWEST CORNER OF SAID SECTION 7, BEARS
N 26°31'42"W AT A DISTANCE OF 3011.53 FEET

6. Place of use A PORTION OF THE E 1/2 NW 1/4 SW 1/4,
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

A PORTION OF W 1/2 NE 1/4 SW1/4 OF SECTION 7, T. 20 S. R. 64 E., M.D.M

7. Use will begin about January 1 (Month and Day) and end about December 31 (Month and Day) of each year.

8. Description of proposed works (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) EXISITNG COGENERATION PLANT AND
State manner in which water is to be diverted, i.e. diversion structure,

OUTFALL PIPELINE TO EVAPORATION POND
ditches and flumes, drilled well with pump and motor, etc

9. Estimated cost of works IN EXCESS OF $2,000,000

10. Estimated time required to construct works EVAPORATION POND AND OUTFALL LINE ARE
If well completed, describe works.

CONSTRUCTED

11. Estimated time required to complete the application of water to beneficial use TO BE DETERMINDED
UNDER SECONDARY APPLICATION

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The intent of this application is to acquire a primary permit pursuant to NRS 533.440. The source of water is fluid withdrawn from the waste stream from the Nevada cogeneration associates, garnet valley cogeneration plant, Clark county.

Water appropriated from permits 58592, 58593, and 58594.

**TELEPHONE NUMBER**

(702) 563-0600

By _____
Signature, ~~applicant~~ or agent

8 West Pacific, Ave.
Street and No., or P.O. Box No

Henderson, NV 89015,
City, State, Zip code No.

**APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT**

**$250 FILING FEE MUST ACCOMPANY APPLICATION**