



## THE STATE OF NEVADA

### APPLICATION TO APPROPRIATE WATER

**Name of Applicant:** NEVADA POWER COMPANY DBA NV ENERGY  
**Source:** UNDERGROUND (CARBONATE AQUIFER)  
**Basin:** GARNET VALLEY  
**Manner of Use:** INDUSTRIAL  
**Period of Use:** JANUARY 1ST THROUGH DECEMBER 31ST  
**Priority Date:** 03/15/2010

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#### DENIAL OF STATE ENGINEER

The protests to this application are hereby upheld in part and the application is hereby denied on the grounds that there is no unappropriated groundwater at the source of the supply, the proposed use would conflict with existing rights in the Order 1169 basins and the proposed use of the water would threaten to prove detrimental to the public interest in that it would threaten the water resources upon which the endangered Moapa dace are dependent. No ruling is made on the merits of the remaining protest grounds.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 29<sup>th</sup> day of January, 2014.

  
\_\_\_\_\_  
State Engineer

**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	<u>MAR 15 2010</u>
Returned to applicant for correction	_____
Corrected Application filed	Map filed <u>AUG 20 1998</u> under <u>64222</u>

The applicant Nevada Power Company dba NV Energy  
6226 West Sahara Ave. of Las Vegas  
Street Address or P.O. Box City or Town  
NV 89146 hereby make(s) application for permission to appropriate the  
State and ZIP Code

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 1929 in the state of Nevada.

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- The source of water is an underground source (Carbonate Aquifer)  
Name of the stream, lake, underground, spring or other sources.
  - The amount of water applied for is 1.11 CFS  
One second foot equals 448.83 gallons per minute.
    - If stored in a reservoir give the number of acre-feet N/A
  - The water is to be used for Industrial cooling and other uses associated with power production and coal gasification  
Irrigation, power, mining, commercial, domestic or other use. Must be limited to one major use.
  - If use is for:
    - Irrigation, state number of acres to be irrigated \_\_\_\_\_
    - Stockwater, state number and kind of animals \_\_\_\_\_
    - Other use (describe fully in No. 12) \_\_\_\_\_
    - Power:
      - Horsepower developed \_\_\_\_\_
      - Point of return of water to stream \_\_\_\_\_

13-216  
CL

5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.)

being within the NW 1/4 of the SW 1/4 of Section 10, T.17S, R.64E, MDM or at a point from which the Southeast corner of said Section bears S. 02 degrees 49' 12" W. a distance of 1511.12 feet.

west

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6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

T.17S., R.63E., MDM; Section 12 - SE 1/4, E 1/2, SW 1/4 (Portion); Section 13 - E 1/2, SW 1/4, NW 1/4 (Portion); Section 24; Section 25; Section 35 - E 1/2; Section 36. T.18S., R.63E., MDM; Section 1 - NW 1/4; Section 2 - NE 1/4, T.17S., R.64E.; Section 7 - S1/2; Section 18; Section 19; Section 30; Section 31.

7. Use will begin about January 1 and end about December 31 of each year.

Month and Day

Month and Day

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.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with a pump and motor, etc.)

Direct Circulation Rotary Borehole, production well, screen, gravel pack, and blank casing.

9. Estimated cost of works: \$60,400

10. Estimated time required to construct works: 90 days from notice to proceed. Approximately 500' well w/12" casing (If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 5 years

12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

The well will be connected to the ground grid for the Crystal Sub Station. The annual consumptive use is estimated at 807 AFA.

13. Miscellaneous remarks:

This application is to re file for water already filed for under application 64221. See application 64221 for all necessary maps.

REL per e-mail

rott@nvenergy.com

E-mail Address

702-402-5764

Phone No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Robert Ott

Type or print name clearly

[Handwritten Signature]

Signature, applicant or agent

Nevada Power Company dba NV Energy

Company Name

6226 West Sahara MS 25

Street Address or PO Box

Las Vegas NV 89146

City, State, ZIP Code

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ATTACHMENT

Line 13:

This application is being filed solely as a result of the Nevada Supreme Court's decision in Great Basin Water Network, et al., v. State Engineer, 126 Nev. Adv. Opn. 2, January 28, 2010. Applicant currently holds Application 64223, which was filed with the State Engineer's Office on June 12, 1998. This instant Application is NOT to be construed as a withdrawal of Application 64223. Applicant requests that the date of filing of this application relate back to that of 64223. It should be noted that there are some differences between this Application and Application 64223 to account for current operations, but the source of water, basin and requested water duty and diversion rates are the same. The maps already filed with the Division of Water Resources for 64223<sup>2</sup> are the correct maps for this application.

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JAN 15 2011 5:53  
DIVISION OF WATER RESOURCES