

APPLICATION FOR PERMIT

Serial No. 13348

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office MAR 30 1950
 Returned to applicant for correction _____
 Corrected application filed _____

The undersigned U.S. Dept. of the Interior, Fish & Wildlife Service
State of Nevada Fish and Game Commission
Fallon Name of applicant Churchill
 of Reno, County of Washoe,
 State of Nevada, hereby make 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.)

1. The source of the proposed appropriation is Stillwater Slough, other-
Name of stream, lake, or other source
wise known as the Diagonal Drain.

2. The amount of water applied for is 25.1 second-feet.
One second-foot equals 40 miners' inches

3. The water to be used for (See attached Sheet)
Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:
T. 19 N., R. 30 E., M.D.B.&M., Section 34, NW 1/4 NE 1/4
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is _____

(b) Description of land to be irrigated _____
Describe by legal subdivision, or if on unsurveyed land it should

be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Use will begin about _____ and end about _____, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is none horsepower.

(e) Place of use in Stillwater marsh area (See sheet attached)
Give location of place of use by legal subdivision

(f) Point of return of water to stream Stillwater marsh area is the
Describe in same manner as point of diversion
sump that is the terminus of all waste flow covered by this filing.
There is no return flow from this area.

(g) State number and kinds of animals to be watered Approximately 200
head of cattle for approximately 120 days during the grazing period
in the marsh - July to November

(h) Use will begin about January and end about December, of each year.
Month Month

(i) Remarks Forage production around shoreline is sufficient to furnish
good grazing to livestock. Grazing will be regulated. Public hunting
will be permitted on approximately 65% of the area served by water
applied for here. The entire area will be open to other recreational
uses and to trapping of fur bearers regulated on a sustained yield
basis.

DESCRIPTION OF PROPOSED WORKS

Diversion is immediately above an earth dam containing a control gate, located in Stillwater Slough. Diversion is by canal 16' wide, 6' deep with .00025 slope. Flow is into Stillwater Point Reservoir located in Sections 9, 10, 15, 16, 17, 20 and 21, T. 19 N., R. 31 E., M.D.B.&M.

Flow out of Reservoir will be in canals of adequate size. Water in marsh units will be controlled by regulating structures and dikes.

- 5. Estimated cost of works \$ 46,500.00
6. Estimated time required to construct works 5 years
7. Remarks (See sheet attached)

For use of applicant

DEPT: OF THE INTERIOR, FISH & WILDLIFE SERVICE

By Thomas C. Horn, Refuge Manager

NEVADA STATE FISH & GAME COMMISSION

By S. S. Wheeler, Director

Compared AT-LM pm/se

This sheet inspected

Protested July 28, 1950 by Truckee-Carson Irrigation Dist., Engineer.

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:

(CONTINUED ON PAGE 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 25.1 cubic feet per second., but not to exceed 18171.8 acre-feet yearly.

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before October 26 1992

Proof of completion of work shall be filed before November 26, 1992

Application of water to beneficial use shall be made on or before

October 26, 1997. Proof of the application of water to beneficial use must be filed with State Engineer on or before November 26, 1997

Map Filed MAY 3 1950 under 13345

WITNESS MY HAND AND SEAL this 26th day

of October, 1987

[Signature of State Engineer]

State Engineer.

certificate 14846 issued 02-13-98

Form 1b Item 3 - The Water to be Used for Stillwater Slough Diversion

Recreational uses including hunting, fishing, boating, swimming, skating, picnicing and camping; propagation and production of wildlife food plants and wildlife including waterfowl and other birds, fur bearing animals and fish; production of shoreline forage for livestock.

Item e - Place of use

T. 19 N., R. 31 E.

Parts of Sections - 3, 4, 10, 15, 16, 17, 20 and 21

T. 20 N., R. 31 E.

Parts of Sections - 1, 2, 5, 7, 8, 10, 11, 12, 13, 14, 23, 24, 25, 26, 34, 35 and 36

All of Sections - 3, 4, and 9

T. 20 N., R. 32 E.

Parts of Sections - 3, 4, 5, 6, 7, 8, 9, 16, 17, 18, 19, 20, 21 and 30

T. 21 N., R. 31 E.

Parts of Sections - 13, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 32, 33, 35 and 36

All of Section - 34

T. 21 N., R. 32 E.

Parts of Sections - 2, 5, 7, 8, 10, 11, 15, 18, 22, 27, 28, 32, 33 and 34

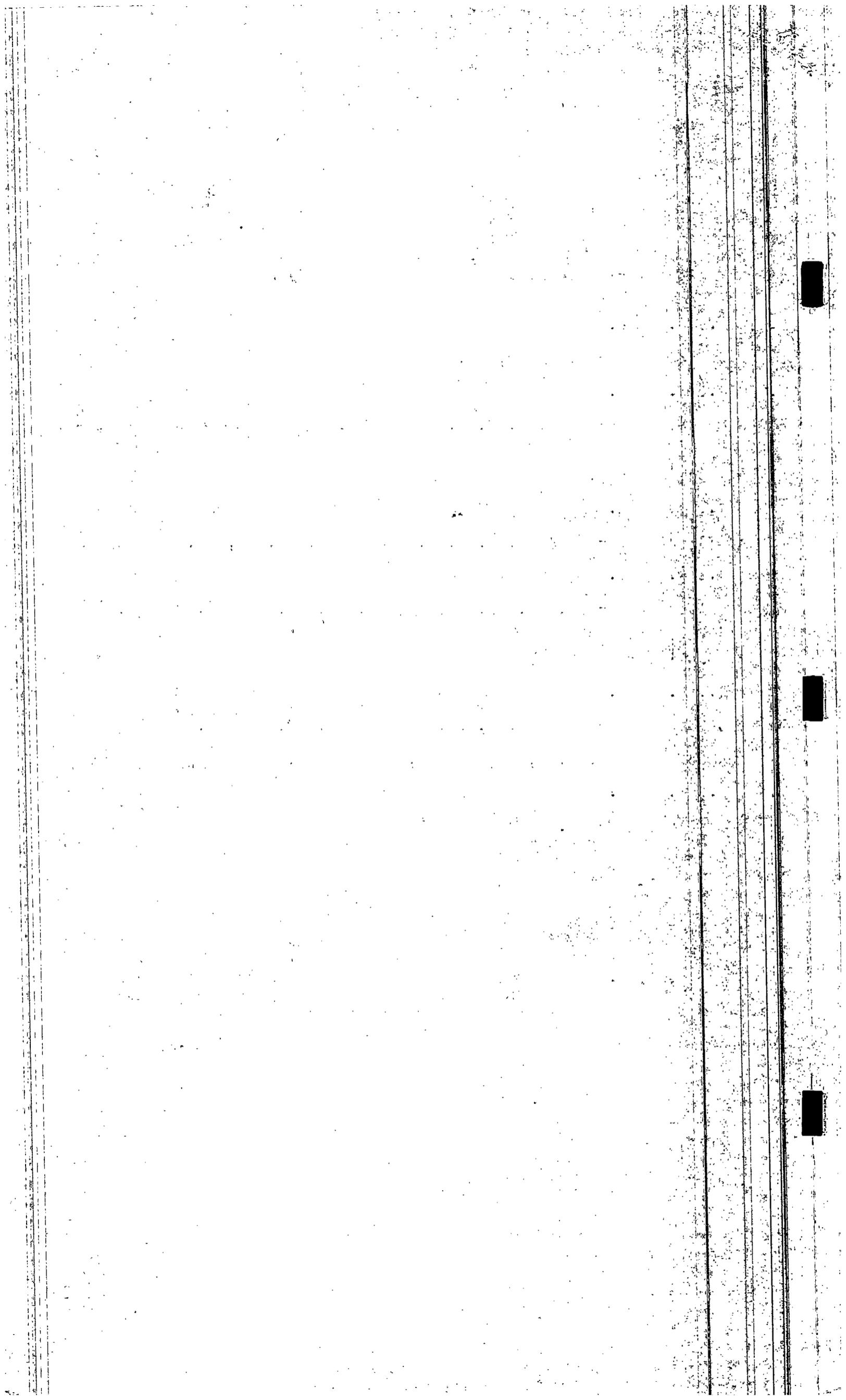
All of Sections - 3, 4, 9, 16, 17, 19, 20, 21, 29, 30 and 31

T. 22 N., R. 32 E.

Parts of Sections - 32, 33, 34 and 35

Item 7. Remarks

The Truckee-Carson Irrigation District of Fallon, Nevada, guaranteed delivery of waste water to the Fish and Wildlife Service and the Nevada State Fish and Game Commission under terms of an agreement signed by all 3 parties on November 26, 1948. These filings are made for the protection they offer to the State Fish and Game Commission and the Fish and Wildlife Service in the heavy investment being made in the Stillwater Wildlife Management Area and are not meant to interfere with primary use of the water by Truckee-Carson Irrigation District in the operation of the Newlands Project.



(PERMIT TERMS CONTINUED)

This permit is issued subject to all existing rights on the source. It is understood that the 25.1 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the 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.

This permit is issued specifically subject to the agreement dated September 8, 1987 between the Truckee-Carson Irrigation District, Nevada Department of Wildlife and the United States Fish and Wildlife Service.

This permit is issued with the following terms and conditions:

1. The historic record of Carson River flows in the State Engineer's office provides substantial evidence that from time-to-time surplus flows reach the point of diversion described herein.
2. There are no other existing rights either under the Carson River Decree or of record in the State Engineer's office downstream from the point of diversion.
3. The Carson River Decree establishes and determines direct diversion rights for irrigation and other uses upstream from the point of diversion described herein and declares the Carson River and tributaries to be fully appropriated for these purposes.
4. Any water that reaches the point of diversion under this permit has been available for diversion by all decreed users set forth in the Carson River Decree, therefore, the approval of this permit does not conflict with the finding in the decree that the stream system is fully appropriated.
5. Approval of this permit is subject to all existing water rights on the source.

