

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

Serial No. 13350

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, Nevada
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 the Old Stillwater Slough.
2. The amount of water applied for is 40.0 second-feet.
3. The water to be used for (See sheet attached)
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 24, SE 1/4 SW 1/4

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

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.

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 (See sheet attached)
(f) Point of return of water to stream Stillwater marsh area is the sum 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.
(i) Remarks (See sheet attached)

DESCRIPTION OF PROPOSED WORKS

Diversion to be immediately above an earth plug containing a control structure. Diversion canal to be 10' wide, 6' deep with 1 1/2 to 1 side slope, grade to be .00025. Water to run directly to marsh from point of diversion.

- 5. Estimated cost of works \$35,000.00
6. Estimated time required to construct works 5 years
7. Remarks (See attached sheet)
For use of applicant

DEPT. OF THE INTERIOR, FISH & WILDLIFE SERVICE

By Thomas C. Horn, Applicant
Thomas C. Horn, Refuge Manager
NEVADA STATE FISH & GAME COMMISSION
By S. S. Wheeler
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 40 cubic feet per second, but not to exceed 28959.1 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

DEC 14 1992

of October, 1987

WITHDRAWN BY APPLICANT
STATE ENGINEER

State Engineer.

Form 1b Item 3 - The Water to be Used for Old 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.

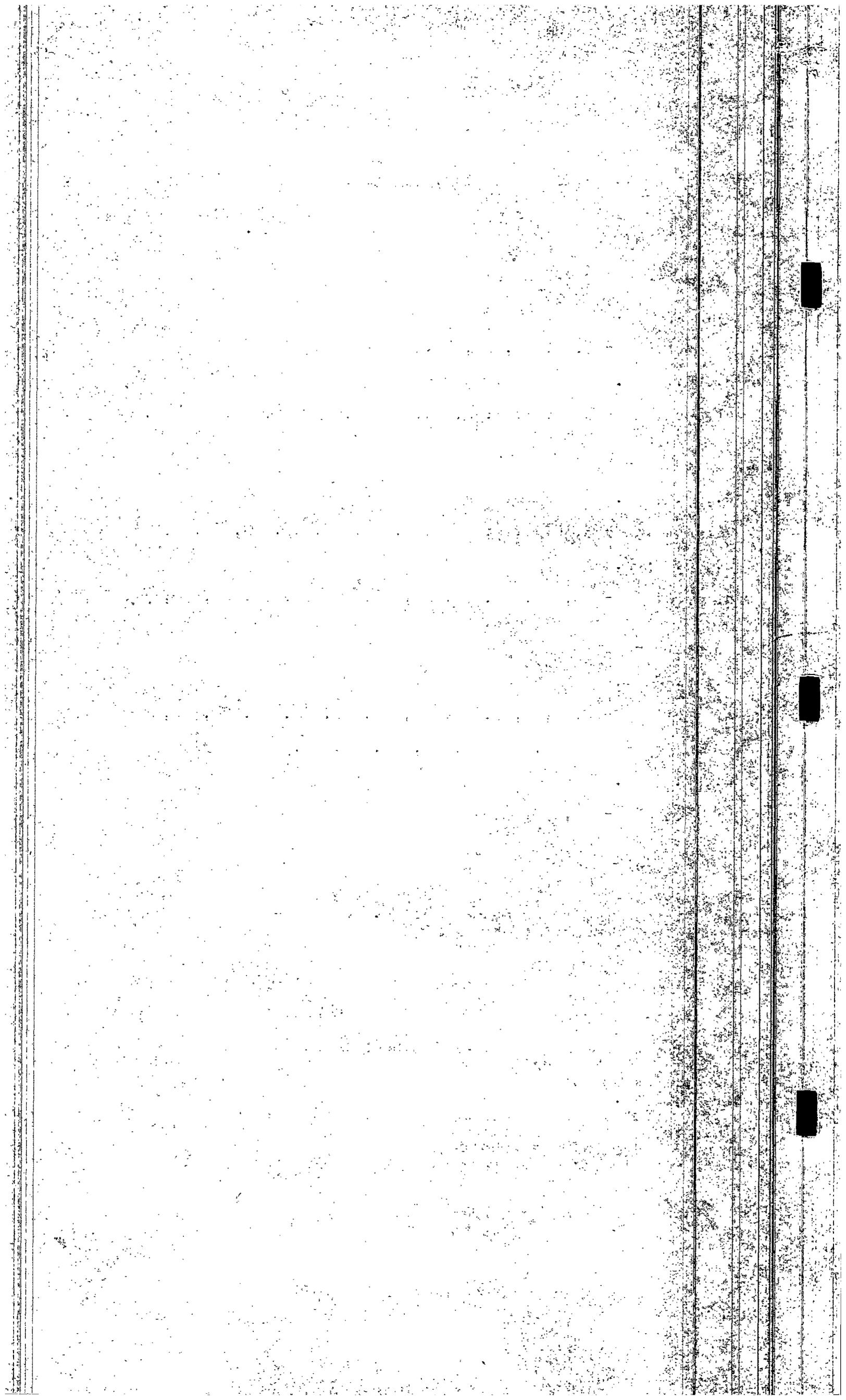
Parts of Sections - 32, 33, 34 and 35

Item (i) - Remarks

Public hunting will be permitted on approximately 65% of the water area created by water used under these filings. Other recreational uses and regulated trapping of fur bearing animals on a sustained yield basis and livestock grazing will be permitted over the entire area served by this water.

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 40 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.

