

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

Date of filing in State Engineer's Office NOV 22 1971
Returned to applicant for correction AUG 15 1972
Corrected application filed SEP 6 1972
Map filed JUN 1 1972

The applicant See Exhibit A
of _____, County of _____,
State of _____, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is Martin Creek
Name of stream, lake or other source.

2. The amount of water applied for is 10,000 c.f.s. second-foot
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet 60,000 ac. feet acre-foot

3. The water to be used for irrigation and domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 9,157.57 Ac.

(b) Stockwater (state number and kinds of animals to be watered)

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: SE 1/4 NW 1/4 Section 12, T.42N.,

R.40E., M.D.B.&M., or at a point from which the West 1/2 corner of Section 7,
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

T.42N., R.41E., bears S. 67° 31' 27" E. 2,791.0 feet.
it should be stated.

6. Place of use (SW 1/4 & SE 1/4, Sec. 32, T43N, R41E.) (NW 1/4: NE 1/4: SW 1/4, Sec. 5 T42N, R41E.):
Describe by legal subdivision, if on unsurveyed land it should be so stated.

(SE 1/4 & SW 1/4, Sec. 6, T42N, R41E.) (NW 1/4 Sec.7, T42N, R41E) (NW 1/4 & NE 1/4, Sec. 12,

T42N, R40E) M.D.B.&M.

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

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.) Dam

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works.....\$2,500,000.00
- 10. Estimated time required to construct works..... 10 years
- 11. Estimated time required to complete the application to beneficial use..... 10 years
- 12. Remarks..... See attached remarks

s/ Leslie J. Stewart Agent for Applicants
 Applicant... See Exhibit A

By... C. H. "Pete" Ketcham
 Registered Land Surveyor
 P.O. Box 461 - Winnemucca, Nevada 89445
 Phone: 623-3152

Compared... ga/jw..... lk/bs

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 permit to store 60,000 acre-feet of water per annum for irrigation on 9,157.57 acres of land is issued subject to all existing rights on the source and also subject to NRS 535.010 (Dams and other obstructions). The Proof of Beneficial Use and Cultural Map when filed, must show the maximum amount of water stored and released during any one year, and the lands on which such water was used. The State retains the right to regulate the use of the water herein granted at any and all times. This permit will allow for diversion to storage during the non-irrigation season as set out in the Little Humboldt River Decree at a rate not to exceed 10,000 c.f.s. The water may be rediverted from storage only during the irrigation season.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed ~~3.6 acre-feet per acre irrigated~~ cubic feet per second 60,000 acre-feet storage per annum. Duty of water from all sources not to exceed 3.6 acre-feet per acre irrigated.

- Actual construction work shall begin on or before..... November 13, 1974
- Proof of commencement of work shall be filed before..... December 13, 1974
- Work must be prosecuted with reasonable diligence and be completed on or before..... November 13, 1975
- Proof of completion of work shall be filed before..... December 13, 1975
- Application of water to beneficial use shall be made on or before..... November 13, 1978
- Proof of the application of water to beneficial use shall be filed on or before..... December 13, 1978
- Map in support of proof of beneficial use shall be filed on or before..... December 13, 1978

Commencement of work filed.....
 Completion of work filed.....
 Proof of beneficial use filed.....
 Cultural map filed.....
 Certificate No..... Issued.....
 Recorded..... Bk..... Page.....

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD,
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 13th day of May

A.D. 19 74

Roland D. Westergard
 State Engineer

County Recorder

JAN 24 1978

CANCELLED BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
Roland D. Westergard

EXHIBIT A

<u>Name</u>	<u>Address</u>	<u>Zip Code</u>
1. Robert and Georgene Cassinelli <u>Robert A Cassinelli</u> <u>Georgene Cassinelli</u>	Paradise Valley, Nevada	89426
2. Loui Cerri and Leo Cerri <u>Loui Cerri</u> <u>Leo Cerri</u>	Paradise Valley, Nevada	89426
3. N. B. Ranches, Inc. BY <u>P.H. Kudzger</u>	Star Route, Box 10 Winnemucca, Nevada	89445
4. Wm. Stock Farming Co. BY <u>Leslie J Stewart</u>	Paradise Valley, Nevada	89426
5. Robert MacDiarmid <u>Robert MacDiarmid</u>	Paradise Valley, Nevada	89426
6. Barnen Cattle, Inc. By <u>A. J. Hall</u>	Box 12 Paradise Valley, Nevada	89426
7. Albert M. Lowry, Albert Leland Lowry and Darlene L. Grove <u>Albert M. Lowry</u>	Winnemucca, Nevada Delano, California Helena, Montana	89445
8. Alvin Miller and Ernest Miller	Star Route Winnemucca, Nevada	89445

12. Remarks

This application is made in behalf of the undersigned water users that have a decreed right from Martin Creek as shown in that certain document known as Findings of Fact, Conclusions of Law and Decree No. 3157, and any owner of a permit granted by the State Engineer prior to this application for the waters of Martin Creek.

This application is made for the yearly diversion of 60,000 acre feet of the surplus waters of Martin Creek. The surplus water of Martin Creek shall be the water that flows during the non-irrigation season that is in the excess of the water that is needed for stock water during this season as set forth in the Finding 13, page 10, of the Little Humboldt Decree and any permits that have been granted prior to this application by the State Engineer for the waters of Martin Creek during the non-irrigation season.

The surplus water stored under this application shall be distributed by the State Engineer to the undersigned decreed owners of water from Martin Creek in the direct percentage of their ownership of water rights as shown in the Little Humboldt Decree.

Any water user that has a right in this application may accumulate his decreed water from Martin Creek during the irrigation season in the reservoir for the purpose of using it in a head and at a time best suited to him for good husbandry (Finding 17, page 10, Little Humboldt Decree).