



THE STATE OF NEVADA

PERMIT TO APPROPRIATE WATER

Name of Permittee: NEVADA DEPARTMENT OF WILDLIFE
Source: ARMY DRAIN
Basin: LOVELOCK VALLEY
Manner of Use: WILDLIFE
Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST
Priority Date: 06/26/1975

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 is issued subject to all existing rights on the source. It is understood that the 500 cubic feet per second, 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.

Monthly records shall be kept of the amount of water diverted from this source and the records submitted to the State Engineer on an annual basis on or before February 15th of the following year.

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 total combined duty of water under Permit 26906, Certificate 9740; Permit 26908, Certificate 9742; and Permits 29417, 29468, 29469, and 29470 for flows into Humboldt Wildlife Management Area (Humboldt Lake and Toulon Lake) shall not exceed 60,966 acre-feet annually. These permits are issued for flood waters and irrigation return flows. Use of these drainage waters is subject to availability and these permits shall not constitute a demand on any other parties to supply water to the points of diversion.

These permits are also issued subject to the terms and conditions of the State Engineer's Ruling 3594, dated March 31, 1989.

The point of diversion and place of use are as described on the submitted application to support this permit.

(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 500 cubic feet per second or 39393 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

August 28 2014

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

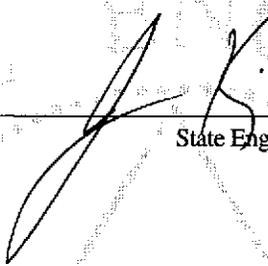
August 28 2018

Map in support of proof of beneficial use shall be filed on or before:

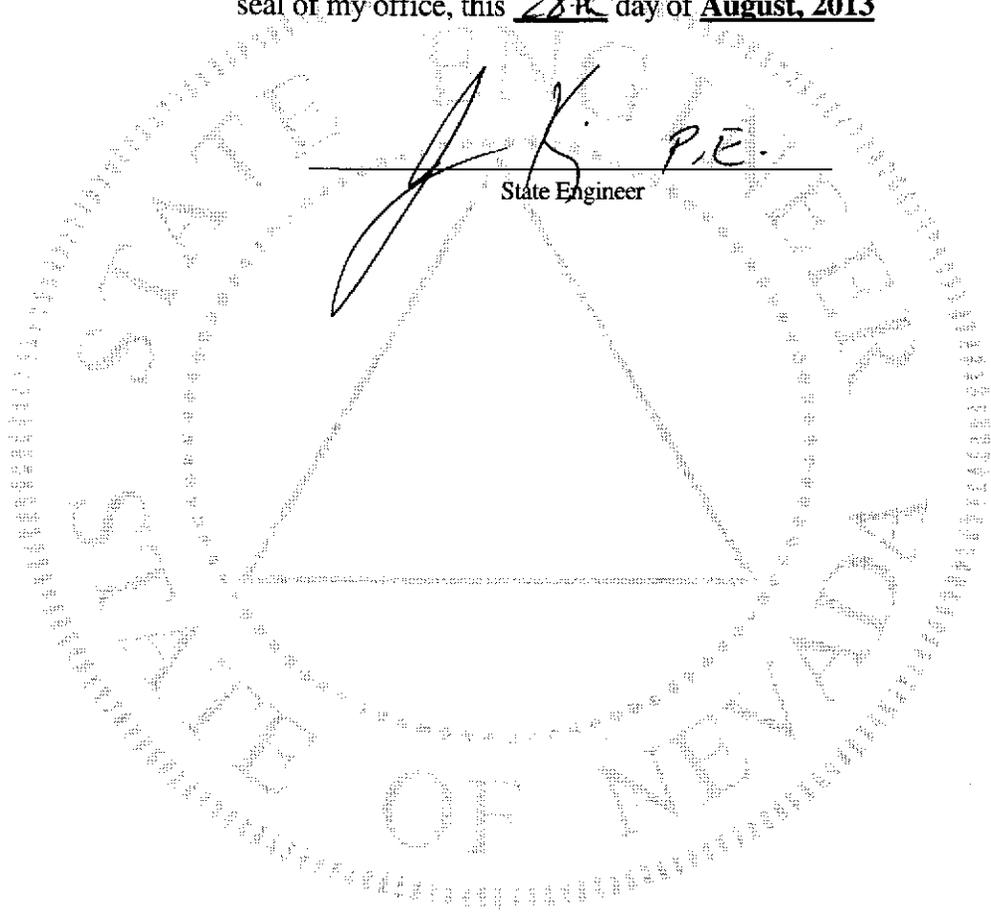
N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 28th day of **August, 2013**

 P.E.

State Engineer



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

Date of filing in State Engineer's Office..... JUN 26 1975

Returned to applicant for correction..... JUL 8 1975

Corrected application filed.....

Map filed..... JUL 8 1975 under 29468

The applicant State of Nevada, Department of Fish and Game

P. O. Box 10678, of Reno,

Street and No. or P.O. Box No.

City or Town

89510

State and Zip Code No.

....., 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; if a copartnership or association, give names of members.).....

1. The source of the proposed appropriation is Army Drain
Name of stream, lake or other source.

2. The amount of water applied for is 500 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet Comingled with other waters to acre-feet
provide a total of 39,393 AF. See remarks.

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

4. If use is for:

(a) Irrigation (state number of acres to be irrigated).....

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

(c) Other use (describe fully under "No. 12. Remarks") see 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: within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 7,

T.25N., R.31E., M.D.B.&M. from which the W $\frac{1}{4}$ corner of said Sec. 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,

lies N 0° 52' E, 2,443 ft.

it should be stated.

6. Place of use..... See Attachment 1
Describe by legal subdivision, if on unsurveyed land it should be so stated.

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

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and 1 specifications of your diversion or storage works.) existing drain channel

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

Attachment 1, Nevada Department of Fish and Game

Place of Use

Humboldt Lake

T.24N., R.29E., M.D.B.&M.

- Sec. 13, E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$
- Sec. 24, All Except W $\frac{1}{2}$ W $\frac{1}{2}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$
- Sec. 25, NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$

T.24N., R.30E., M.D.B.&M.

- Sec. 3, All Except E $\frac{1}{2}$ E $\frac{1}{2}$
- Sec. 4, All
- Sec. 5, All
- Sec. 6, E $\frac{1}{2}$, E $\frac{1}{2}$ SW $\frac{1}{4}$
- Sec. 7, E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$
- Sec. 8, All
- Sec. 9, All
- Sec. 10, All
- Sec. 15, All Except E $\frac{1}{2}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$
- Sec. 16, All
- Sec. 17, All
- Sec. 18, All
- Sec. 19, All
- Sec. 20, All
- Sec. 21, All Except S $\frac{1}{2}$ SE $\frac{1}{4}$
- Sec. 22, NW $\frac{1}{4}$ NW $\frac{1}{4}$
- Sec. 29, NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$
- Sec. 30, All

T.25N., R.30E., M.D.B.&M.

- Sec. 9, SE $\frac{1}{4}$ SE $\frac{1}{4}$
- Sec. 10, SW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SW $\frac{1}{4}$
- Sec. 15, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$
- Sec. 16, All Except NW $\frac{1}{4}$ NW $\frac{1}{4}$
- Sec. 17, SE $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$
- Sec. 20, All except N $\frac{1}{2}$ NW $\frac{1}{4}$
- Sec. 21, All Except NE $\frac{1}{4}$ NE $\frac{1}{4}$
- Sec. 22, SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$
- Sec. 27, All Except NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$
- Sec. 28, All
- Sec. 29, All
- Sec. 30, E $\frac{1}{2}$ SE $\frac{1}{4}$
- Sec. 31, S $\frac{1}{2}$ SE $\frac{1}{4}$
- Sec. 32, All
- Sec. 33, All
- Sec. 34, All
- Sec. 35, W $\frac{1}{2}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$

ATTACHMENT 2

Nevada Department of Fish and Game

ARMY DRAIN

12. Remarks - Floodwater and return flows will be used for fish, wildlife and recreation purposes in Humboldt Lake in the amount of 60,966 acre feet (AF) per year as stated in Table 31 of Volume II, Report of Environmental and Wildlife Investigations, Humboldt River Upstream Storage Project & Rock Creek Dam Project, Nevada Division of Water Resources, December 1974. The applicant holds existing Permits 26906, 26907 and 26908 which allow for 21,573 AF of water in Humboldt Lake and this application is one of three intended to make up the difference. Water surface elevation of the lake representing the 60,966 AF requirement is 3,890.0. At this level Humboldt Lake (which includes Lower Lake) has an area of 14,396 acres. The annual evapotranspirational loss of water is 4,235 ft. resulting in the 60,966 AF figure. The difference between 60,966 AF and the 21,573 allowed by Permits 26906, 26907 and 26908 is 39,393 AF, the amount applied for in this application.

Water from Toulon (Graveyard) Drain, Humboldt River and Army Drain are comingled in Humboldt Lake. The 39,393 AF figure is supplied by all three sources.