

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

Date of filing in State Engineer's Office... JAN 17 1979
Returned to applicant for correction... JUN 14 1979
Corrected application filed... JUL 18 1979
Map filed... JUL 18 1979

The applicant United States Government Department of Interior Bureau of Land Management
705 East 4th Street, of Winnemucca, Nevada 89445
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.) N/A

1. The source of the proposed appropriation is Upper Blue Lakes (See letter of 12/20/79)
Name of stream, lake or other source. TFH

2. The amount of water applied for is N/A second-feet
One second-foot equals 448.83 gals. per min. TFH
(a) If stored in reservoir give number of acre-feet 66.5 (See letter of 12/20/79) acre-feet

3. The water to be used for Fisheries, Recreation, Stock Water, Wildlife Water
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:
(a) Irrigation (state number of acres to be irrigated) N/A
(b) Stockwater (state number and kinds of animals to be watered)
(c) Other use (describe fully under "No. 12. Remarks") 150 cattle from June 1 to October 15, 25 deer June 1 to Nov. 30
(d) Power:
(1) Horsepower developed N/A
(2) Point of return of water to stream N/A

5. The water is to be diverted from its source at the following point: 1) Upper Blue Lake outlet from which the S.E. corner of Sec. 36 T.44N., R.28E. bears N. 36°52' E. a distance of 5580 feet or the NE¼ SW¼ of Sec. 1, T.43N., R.28E.MDB&M.
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. Place of use Blue Lake: NE¼ SW¼, NW¼ SE¼, SE¼ SW¼, and SW¼ SE¼ of section 1
Describe by legal subdivision, if on unsurveyed land it should be so stated.
T.43N., R.28E., M.D.B. & M. "The United States does not, by the filing of this applications, waive its claim to water originating on public lands of the United States, nor its claim that it has a right to use such water without the filing of this application. This filing and the accompanying payment of filing fees is made under protest."

7. Use will begin about January 1 and end about December 31, 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 specifications of your diversion or storage works.) Lake Basin

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 N/A
- 10. Estimated time required to construct works N/A
- 11. Estimated time required to complete the application to beneficial use Immediately
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

A rainbow and brook trout fishery exists in Blue Lakes and significantly contributes to its high recreational value. A minimum pool in Blue Lakes of 120 acre feet which is at or below the existing outlet of the lower lake is necessary to protect the fishery and maintain the high recreational value of the lakes.

Applicant U.S. Government Dept. of Interior Bureau of Land Management

By s/Chester E. Conrad  
Chester E. Conrad  
 Winnemucca District Manager

Compared ja/ga js/bc  
 Pro. 4/21/80 by Richard Drake, 705 East 4th Street  
Kenneth Earp, Humboldt County Winnemucca, Nevada 89445  
 Pro. overruled 7/26/85, Ruling #3220 OF STATE ENGINEER  
 APPROVAL/

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 existing rights on the source. It is understood that the permit is being issued for the purpose of maintaining a minimum pool in Upper Blue Lakes for recreation, fisheries, stockwater and wildlife watering.

It is understood that the 66.5 acre-feet 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 is issued subject to the State Engineer's Ruling No. 3220 dated July 26, 1985.

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 amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 66.5 acre-cubic feet per second.

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..... September 10, 1987

Proof of completion of work shall be filed before..... October 10, 1987

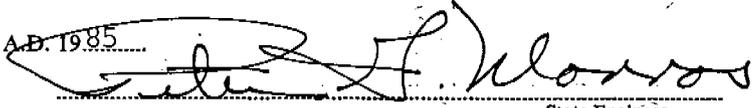
Application of water to beneficial use shall be made on or before..... September 10, 1989

Proof of the application of water to beneficial use shall be filed on or before..... October 10, 1989

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

Commencement of work filed.....  
 Completion of work filed MAR 14 1986  
 Proof of beneficial use filed NOV 3 1986  
 Cultural map filed.....  
 Certificate No. 12,100 Issued MAR 16 1989  
 Recorded..... Bk 41 Page.....  
 County Recorder

IN TESTIMONY WHEREOF, I, PETER G. MORROS  
 State Engineer of Nevada, have hereunto set my hand and the seal of  
 my office, this 10th day of September

A.D. 1985  
  
 State Engineer