

**ASSIGNED**

AMENDED

No. 46039

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

Date of filing in State Engineer's Office Aug 18 1982 NEW PRIORITY DATE: SEPT 13 1993  
Returned to applicant for correction SEP 28 1982  
Corrected application filed NOV 15 1982  
Map filed NOV 15 1982 under 46033

The applicant Dan Russell

P O Box 339, of Folsom,  
Street and No. or P.O. Box No. City or Town

California 95630, hereby make S. application for permission to appropriate the public  
State and Zip Code No.

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 Unnamed Springs No. 7  
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.031 cfs second-feet  
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet

3. The water to be used for Stockwatering  
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one 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: 1,000 head of cattle

(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: in the SW 1/4 NW 1/4 of Section 33,  
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 so stated.

T.24 N., R.55 E., M.D.B.& M. (Partially Unsurveyed), whence the Northeast  
Corner of Section 23, T.24 N., R.55 E., M.D.B.& M. (Partially Unsurveyed),  
bears N.46°42'34"E., 21,513.41 feet distant.

6. Place of use portions of Sections 11, 12, 13, 14, 22, 23, 24, 25, 26, 27, 34, 35  
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

and 36, T.24 N., R.55 E., M.D.B.& M. (Partially Unsurveyed); portions of

Sections 7, 17, 18, 19, 20 and 30, T.24 N., R.56 E., M.D.B.& M.

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

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.) The water will be diverted through portable  
State manner in which water is to be diverted, i.e. diversion structure, ditches and pipelines throughout the Place Of Use to storage tanks and stockwatering troughs.  
pipelines throughout the Place Of Use to storage tanks and stockwatering troughs.  
flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$5,000.00

10. Estimated time required to construct works 3 years  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use 5 years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By s/Richard W. Forman  
Richard W. Forman Agent  
P O Box 150  
Ely NV 89301

Compared js/ bl bp/se

Protested 1/27/83 by BLM  
Pro. Overruled See Ruling #3691:  
2/22/90

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 amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

This permit is subject to the condition that the permittee must ensure that wildlife which have customarily used such water will have access thereto, NRS 533.367.

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 subject to the State Engineer's Ruling No. 3691 dated February 22, 1990.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.031 cubic feet per second, or sufficient to water 1000 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before March 29, 1991

Proof of completion of work shall be filed before April 29, 1991

Application of water to beneficial use shall be made on or before March 29, 1993

Proof of the application of water to beneficial use shall be filed on or before April 29, 1993

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed MAR 22 1996 IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed MAR 22 1996 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed my office, this 29th day of March

Certificate No. 14508 Issued DEC 31 1996 A.D. 1990

218 (Rev.)

~~CANCELLED~~ JUL 13 1993 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

~~Michael Turnipseed P.E.~~ STATE ENGINEER

Can. Rescinded 2-23-96

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of  
my office, this 29th day of March  
A.D. 1990  
*Michael Turnipseed P.E.*  
State Engineer