

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office NOV 15 1982

Returned to applicant for correction

Corrected application filed

Map filed JULY 21, 1965 under 22702

The applicant Gordon V. Foppiano and Irene T. Foppiano

Star Route 1, Box 23

of Ely

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

City or Town

Nevada 89301

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 Foppiano Stock Watering Spring No. 1
Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.0156 c.f.s. 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 Stock watering
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: 200 head cattle, 10 head horses

(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 NE 1/4 Sec. 22, T 24 N, R 63 E
Describe as being within a 40-acre subdivision of public MDB&M or at a point from which the S.W. Corner Sec. 28, T 24 N, R 63 E, MDB&M, survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.
bears S. 47° 34' 47" W., 13,045.60 feet distant.

6. Place of use SE 1/4 NE 1/4 Sec. 22, T 24 N, R 63 E, MDB&M
Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1 and end about December 31, 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.) This spring source has been diverted and a stock watering pond 30' in diameter and 6' deep has been in use for many years.
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works \$1,000.00

10. Estimated time required to construct works. Pond is in existence
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use. Pond is in existence

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

We have a vested right in this stock watering facility.

By s/ Gordon V. Foppiano
Star Route 1, Box 23
Ely, Nevada 89301

Compared ds/bl ll/bc

Protested

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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.006 cubic feet per second, or sufficient to water 200 head of cattle and 10 horses.

Work must be prosecuted with reasonable diligence and be completed on or before February 22, 1986

Proof of completion of work shall be filed before March 22, 1986

Application of water to beneficial use shall be made on or before February 22, 1988

Proof of the application of water to beneficial use shall be filed on or before March 22, 1988

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

Completion of work filed NOV 01 1985

Proof of beneficial use filed FEB 11 1988

Cultural map filed

Certificate No. 12299 Issued OCT 3 1989

IN TESTIMONY WHEREOF, I PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 22ND day of FEBRUARY

A.D. 19 85 [Signature] State Engineer