№ 48113

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

Date of filing in State Engineer's Office JUN 18 1984

Returned to applicant for correction

Corrected application filed

Map filed SEP 4 1984

The applicant Marvin Fred Porteous

Box 87 (Street and No. or P.O. Box No.), of Gabbs (City or Town),

Nevada 89409 (State and Zip Code No.), hereby makes 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 Underground (Name of stream, lake, spring, underground or other source)

2. The amount of water applied for is 2.7 cfs (One second-foot equals 448.83 gals. per min.) second-feet

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

3. The water to be used for Irrigation & Domestic (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 160+ acres

   (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 NW1/4 SW1/4, Section 28, T.19N., R37E M.D.B.&M. or a point from which the SW corner of said section bears S. 30° 15' W., a distance of 1925 feet. (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.)

6. Place of use the S1/2 NW1/4 and the N1/2 SW1/4 Section 28, T.19N., R.37E., M.D.B.&M. (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

7. Use will begin about Jan 1 (Month and Day) and end about Dec 31 (Month and Day), of each year.

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.) Drilled well, pump and distribution system (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 $10,000

10. Estimated time required to construct works 2 yrs
If well completed, describe works.

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

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

This 160 acres is in private land. Water to be comingled with water under proofs of appropriation No. 02062, 02063, and 02065, and Florence Creek waters appropriated under applications 48116 and 48139.

By s/Marvin Fred Porteous
Box 87
Gabbs, Nevada 89409

Compared bl/bc js/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 existing rights. 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 amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A substantial weir or other type of measuring device must be installed and measurements of water use kept. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

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 2.7 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before March 13, 1988

Proof of completion of work shall be filed before April 13, 1988

Application of water to beneficial use shall be made on or before March 13, 1991

Proof of the application of water to beneficial use shall be filed on or before April 13, 1991

Map in support of proof of beneficial use shall be filed on or before April 13, 1991

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I PETER G. MORROS State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of March, A.D. 19 86

Peter G. Morros
State Engineer

218 (Rev.)

Abrogated By 52737 27