

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office JUN 18 1985

Returned to applicant for correction

Corrected application filed

Map filed JUN 18 1985 under 49144

The applicant Daniel H. Russell

P.O. Box 343, of Eureka, Nevada

89316, hereby make S. 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 Sources (Cherry Pass Well No. 2)

2. The amount of water applied for is 0.1 cfs second-foot

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

3. The water to be used for Stockwatering

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 500 cattle & 2500 sheep

(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 SE 1/4 SW 1/4 of Section 10, T.19 N., R.57 E., M.D.B. & M., whence the Southwest corner of Section 18, T.19 N., R.57 E., M.D.B. & M., bears S.71°11'02" W., 18,838.60 feet distant.

6. Place of use SE 1/4 SW 1/4 of Section 10, T.19 N., R.57 E., M.D.B. & M.

7. Use will begin about January 1st and end about December 31st, 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.) the water will be diverted through portable pipelines to stockwatering tanks throughout the proposed place of use.

9. Estimated cost of works \$10,000.00

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, Nevada 89301  
Compared mc/se bc/b1  
Protested by Susan Perkins, BLM on September 3, 1985, July 30, 1985 by Helds Quarter

DENIAL OF STATE ENGINEER

deny

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:

The protest to this application is hereby upheld and this application is herewith denied on the grounds that the applicant is not able to demonstrate the ability to place the water to a beneficial use and the granting thereof would be detrimental to the public interest and would substantially interfere with or impair the value of the protestants' grazing rights on the public land.

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

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed on or before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

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

Completion of work filed..... IN TESTIMONY WHEREOF, I..... PETER G. MORROS

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

Cultural map filed..... my office, this 17th day of MARCH,

Certificate No..... Issued..... A.D. 19 86

*[Handwritten signature of Peter G. Morros]*  
State Engineer