

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

Date of filing in State Engineer's Office APR 6 1989
Returned to applicant for correction MAY 2 1989
Corrected application filed AUG 7 1989
Map filed AUG 7 1989

The applicant Lowell E. Potter, 428 Pepperidge Dr., of Midvale, Utah 84047, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is Josie Pearl Spring, Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 1.0 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 Mining, Milling, and 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

(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 SE 1/4, SW 1/4, Sec 25, T.42N R.27E, MDB&M or at a point from which the South 1/2 corner of said Sec. 25 bears S 69° 47' E, 1079 feet

6. Place of use NW 1/4 SE 1/4 Section 25 T.42N, R27E M.D.B.&M

7. Use will begin about Jan 1 and end about Dec 31, 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.) pipeline

9. Estimated cost of works \$2500.00

10. Estimated time required to construct works..... 30 days
if well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use..... Approx. 90 days

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

use map under to support this application

s/ Lowell E. Potter
By 428 Pepperidge Drive
Midvale Utah 84047

Compared pm/

Protested 10/18/89 by James H. Cole; 10/19/89 by Frances Roberts Nelson & Maxine Roberts Briggs; 10/20/89 by Pine Forest Land & Stock Co., Inc., Pres. Laurence Montero

DENIAL OF STATE ENGINEER

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

The protests to Application 53108 are upheld and Application 53108 is hereby denied on the grounds that there is no water available for appropriation, that the proposed application would interfere with existing water rights, and that where requested information is not supplied by the applicant, it would be detrimental to the public interest to grant the proposed application.

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, R. MICHAEL TURNIPSEED, P. E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

Proof of beneficial use filed..... office, this 30th day of November

Cultural map filed..... A.D. 19 95

Certificate No. Issued..... State Engineer

[Handwritten Signature]
State Engineer