

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office..... JUN 30 1989

Returned to applicant for correction.....

Corrected application filed..... SEP 26 1989 Map filed DEC 19 1989 under 53596

The applicant..... U.S. Fish and Wildlife Service

1002 N.E. Holladay St. of Portland  
Street and No. or P.O. Box No. City or Town

Oregon 97232-4181 hereby make<sup>s</sup> application for permission to change the  
State and Zip Code No.

point of diversion, manner of use, and place of use.  
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under..... Permit No. 25261  
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is..... Rogers Spring (also known as Jackrabbit Spring).  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed..... 0.772 cfs  
Second feet, acre feet. One second foot equals 448.3 gallons per minute.

3. The water to be used for..... wildlife purposes  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for..... irrigation and domestic  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point..... SE 1/4 NW 1/4 Sec. 18, T.18S., R.51E., MDB&M. The  
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 stated:  
southeast corner of Sec. 18, same Township and Range, bears S.43° 40'50" E. at a  
distance of 5,410 feet.

6. The existing permitted point of diversion is located within..... SE 1/4 NW 1/4 Section 18, T.18S., R.51E.,  
MDB&M., or at a point from which the W 1/4 corner If point of diversion is not changed, do not answer  
of Section 7, T.18S., R.51E., MDB&M bears N. 18° 22' W., 4756 feet.

7. Proposed place of use..... Ash Meadows National Wildlife Refuge (See Attachment A for  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
legal description).

8. Existing place of use..... SE 1/4, SE 1/4 NE 1/4 Section 18, SW 1/4, S 1/2 NW 1/4, W 1/2 SE 1/4, SW 1/4 NE 1/4 Section 17,  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
T.18S., R.51E., MDB&M.  
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from..... January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from..... January 1 to December 31 of each year.  
Month and Day Month and Day

11. 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.)..... As much as practicable, re-establish  
State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes, or drilled well, etc.  
historical natural drainage patterns and wetlands.

12. Estimated cost of works..... \$70,000 for entire refuge system.

13. Estimated time required to construct works..... four years.

14. Estimated time required to complete the application of water to beneficial use five years.

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

Water will be used on Ash Meadows National Wildlife Refuge for wildlife purposes.

By s/Robert Oser  
U.S. FISH AND WILDLIFE SERVICE  
1002 N.E. HOLLADAY STREET  
PORTLAND, OREGON 97232-4181

Compared bc/ se am/se

Protested.....

APPROVAL OF STATE ENGINEER

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

This permit to change the point of diversion, manner and place of use of the waters of Roger's Spring as heretofore granted under Permit 25261 is issued subject to the terms and conditions imposed in said Permit 25261 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

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 changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.772 cubic feet per second, but not to exceed 558.9 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before September 28, 1992

Proof of completion of work shall be filed before October 28, 1992

Application of water to beneficial use shall be made on or before September 28, 1995

Proof of the application of water to beneficial use shall be filed on or before October 28, 1995

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

Completion of work filed JUL 31 1992 IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.

Proof of beneficial use filed OCT 16 1995 State Engineer of Nevada, have hereunto set my hand and the seal of my

Cultural map filed..... office, this 28th day of September

Certificate No. 14346 Issued JUN 18 1996 A.D. 19 96

*[Handwritten Signature]*  
State Engineer

## Attachment A

ASH MEADOWS NATIONAL WILDLIFE REFUGE  
 Nye County, Nevada  
 Mount Diablo Meridian  
 Lands within Approved Boundary

T. 17 S., R. 50 E.

Section 9 Lots 7 and 8, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ , S $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 10 S $\frac{1}{4}$ ;  
 12 NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
 15 All;  
 16 All;  
 17 E $\frac{1}{4}$ E $\frac{1}{4}$ ;  
 19 SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 20 E $\frac{1}{4}$ , S $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 21 All;  
 22 All;  
 23 Lots 3 and 4, W $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 26 S $\frac{1}{4}$ ;  
 27 All;  
 28 All;  
 29 All;  
 30 E $\frac{1}{4}$ E $\frac{1}{4}$ ;  
 32 E $\frac{1}{4}$ , E $\frac{1}{4}$ W $\frac{1}{4}$ ;  
 33 All;  
 34 All;  
 35 All;  
 36 W $\frac{1}{4}$ , S $\frac{1}{4}$ SE $\frac{1}{4}$ ;

T. 17 S., R. 51 E.

Section 31 Lot 4, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , E $\frac{1}{4}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 32 S $\frac{1}{4}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ ;

T. 18 S., R. 50 E.

Section 1 All;  
 2 All;  
 3 All;  
 4 All;  
 9 E $\frac{1}{4}$ , NW $\frac{1}{4}$ ;  
 10 All;  
 11 All;  
 12 All;  
 13 All;  
 14 All;  
 15 All;  
 16 E $\frac{1}{4}$ E $\frac{1}{4}$ ;  
 23 All;  
 24 All;  
 25 N $\frac{1}{4}$ ;  
 26 NE $\frac{1}{4}$ ;

T. 18 S., R. 51 E.

Section 5 All;  
 6 All;  
 7 All;  
 8 All;  
 17 W $\frac{1}{4}$ E $\frac{1}{4}$ , W $\frac{1}{4}$ ;  
 18 All;  
 19 All;  
 20 W $\frac{1}{4}$ E $\frac{1}{4}$ , W $\frac{1}{4}$ ;  
 29 W $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ ;  
 30 N $\frac{1}{4}$ .