

AMENDED

No. 60140

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

Date of filing in State Engineer's Office JUN 21 1994

Returned to applicant for correction

Corrected application filed JUN 23 1994

Map filed JUN 23 1994

The applicant James L. and Rosalie F. Moser

P.O. Bx 64, of Orovada, Nevada, 89425

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 surface water (tail water from existing farming operations)

2. The amount of water applied for is 1.0 cfs second-feet

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

3. The water to be used for Irrigation

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 within the NW 1/4 NW 1/4 of Section 33, T.43N., R.37., M.D.B. &M. or at a point from which the NW corner of said Section 33 bears N 32°06'00" W a distance of 71.0 feet.

6. Place of use NE 1/4 of Section 32, T.43N., R.37E., M.D.B.&M. 160 Acres ±

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.) pipeline & ditch 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 in excess of \$1,000

10. Estimated time required to construct works one year  
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use Three years

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

The source of water for this application comes from farming operations that are situated above the applicants property.

Desert Mountain Surveying as agent  
By John H. Milton, III, PLS, SWRS

By s/John H. Milton III  
146 W. Second Street  
Winnemucca, NV 89445

Compared do/ jv

Protested 10-10-94 by Don L. & Jodi S. Jacaway

DENIAL OF STATE ENGINEER

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

The protests to Applications 60140 and 60152 are hereby upheld and said Applications are hereby denied on the grounds that there is no unappropriated water at the source and their approval would conflict with existing rights and prove detrimental to the public interest.

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 before \_\_\_\_\_

Application of water to beneficial use shall be filed 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 \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

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

office, this 4th day of January

A.D. 1996

  
State Engineer