

NO. 61094

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

Date of filing in State Engineer's Office APR 05 1995

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 05 1995

The applicant **Bartley O'Toole and Lilly E. O'Toole**, 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 **underground**
2. The amount of water applied for is **15 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 **600**
 - (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 **in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 27, T13N, R40E, M.D.M., from which point the SW corner of said Section 27 bears S 17°11' W, 1458 feet.**
6. Place of Use **SW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, and SE $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, and SW $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26 all of T13N, R40E, M.D.M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **18" well with pump and motor and meter and ditches for flood irrigation**
9. Estimated cost of works **\$40,000**
10. Estimated time required to construct works **2 years**
11. Estimated time required to complete the application of water to beneficial use **4 years**
12. Remarks:

By s/**Marvin H. Hamrick**
130 Vine Street
Reno, NV 89503

Compared dl/cmf dl/cmf

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 totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins or before the Proof of Completion of Work is filed.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A portion of this permit is issued as a supplemental right to Proofs of Appropriation (Claims of Vested Right) 02701 and 02702 in the amount of 1,622.08 acre-feet for the irrigation of 405.52 acres.

The issuance of this permit does not infer any validity or otherwise prejudice to Proofs of Appropriation 02701 and 02702 of which the limit and extent must be determined under the provisions of NRS 533.090 and 533.320.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 6.0 cubic feet per second, but not to exceed 2,400.0 acre-feet annually, and 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:

September 28, 2001

Proof of completion of work shall be filed before:

October 28, 2001

Water must be placed to beneficial use on or before:

September 28, 2003

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

October 28, 2003

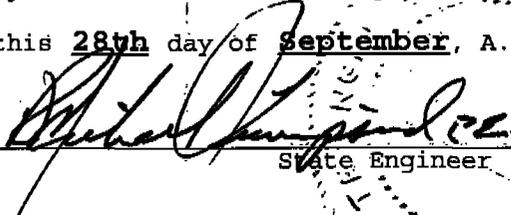
Map in support of proof of beneficial use shall be filed on or before:

October 28, 2003

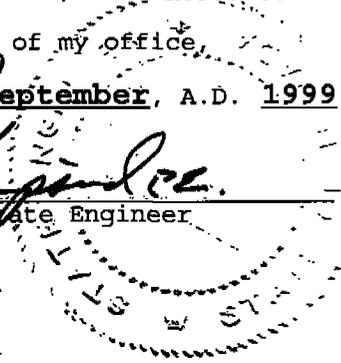
IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office,

this 28th day of September, A.D. 1999



State Engineer



Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

