

A M E N D E D

NO. 72351

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

Date of filing in State Engineer's Office MAR 07 2005

Returned to applicant for correction MAR 31 2005

Corrected application filed MAY 10 2005

Map filed MAY 10 2005

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The applicant **Gary O. and Sandra Say Elrod; and John and Nancy Flanigan, c/o Ross E. de Lipkau** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Unnamed Spring**
2. The amount of water applied for is **.5 cfs. second-feet**
  - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Fish and Wildlife Propagation**
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 **Within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 12, T.18N., R.19E., M.D.B.&M., or at a point from which the S $\frac{1}{4}$  corner of said Section 12 bears South 7° 33' 29" West, a distance of 606.35 feet.**
6. Place of Use **Within a portion of the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and the SE $\frac{1}{4}$  NW $\frac{1}{4}$  Section 12, T.18N., R.19E., M.D.B.&M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **Works of diversion are complete, with existing ditch conveying water to the two places of use. Work of a minor nature will be necessary in the point of diversion area.**
9. Estimated cost of works **\$500.00**
10. Estimated time required to construct works **One (1) year**
11. Estimated time required to complete the application of water to beneficial use **Three (3) years**
12. Remarks: **Water will be utilized for fish and wildlife propagation. Water will first flow to the pond owned by Applicants Gary O. and Sandra Say Elrod. Thence, the overflow from that pond will flow to the pond on real property owned by Applicant John and Nancy Flanigan. Water use is non-consumptive. Ownership of this right shall not be as tenants in common between the Applicants. Rather, Gary O. and Sandra Say Elrod shall own that**

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portion of this right appurtenant to their real property; and John and Nancy Flanigan shall own that portion of this right appurtenant to their real property ownership.

Ross E. de Lipkau  
By s/ Ross E. de Lipkau  
P.O. Box 2790  
Reno, Nevada 89505

Compared aem/ sam

Protested \_\_\_\_\_

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DENIAL OF STATE ENGINEER

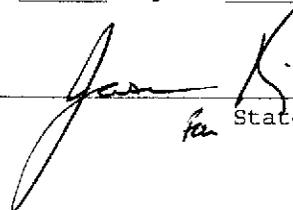
This application is hereby denied on the grounds that its approval would threaten to prove detrimental to the public interest, that there is no un-appropriated water at the source and it conflicts with existing rights.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 4th day of February, A.D. 2009

  
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for State Engineer