NO. 72997

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

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

Returned to applicant for correction

Corrected application filed

Map filed JUL 07 2005

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The applicant **U.S. Bureau of Land Management** 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 **Elephant Head Spring 1**

2. The amount of water applied for is **0.00526** second-feet

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

3. The water to be used for **Wildlife Purposes**

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") **Wildlife purposes: wild horses and big game**

(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 **SW¼ NE¼, of Section 16, T. 26 N., R. 44 E. MDB&M, at a point from which the West ¼ corner of Section 2, T. 27 N., R. 44 E., bears N 07° 05' E, a distance of 42,260 feet. (point of diversion is on unsurveyed land)**

6. Place of Use **NW¼ NE¼, of Section 16, T. 26 N., R. 44 E. MDB&M (unsurveyed land)**

7. Use will begin about **January 1** and end about **December 31** of each year.

8. Description of proposed works **Pipeline to trough**

9. Estimated cost of works **$10,000**

10. Estimated time required to construct works **2 years**

11. Estimated time required to complete the application of water to beneficial use **2 years**

12. Remarks: **Bureau of Land Management resource specialists have determined for the south portion of the Shoshone Mountain Range in the Carico Lake Grazing Allotment that there are 1750 animal unit months for wildlife purposes and 1200 animal unit months for wild**

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horses that support the herd populations. This equates to 350 big game and 100 wild horses, respectively. These waters are not surface water tributaries to the Humboldt River. (refer to BLM drawing no. 060-7250-2005-005)

By **s/Gerald M. Smith Gerald M. Smith (agent)**
50 Bastian Road
Battle Mountain, Nevada 89820

Compared **sg/sam**

Protested 9-7-05 by Filippini Family Trust; 9-8-05 by Ellison Ranching Company; 9-20-05 by Lander County Board of Commissioners; 9-22-05 by NV Dept. of Agriculture

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DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that the granting thereof would conflict 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 12th day of February, A.D. 2009

FOR State Engineer