No. 75172

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

Date of filing in State Engineer's Office **DEC 08 2006**

Returned to applicant for correction

Corrected application filed

Map filed **JAN 20 1976 under 29917**

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The applicant **Tonto Corp.** hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. **November 20, 1992 in Nevada**

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1. The source of the proposed appropriation is **Underground Well No. 9**

2. The amount of water applied for is **2.0 c.f.s. 1116.32 acre feet annually** 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 **279.08 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 **SW¼ SW¼, Section 22, T.38 N., R.39 E., M.D.B. & M., at a point from which the West ¼ Corner of said Section 22 bears N 00° 02' 00" W, 1440.00 feet.**

6. Place of Use **portions of NW¼, NW¼ NE¼, W½ SW¼ of Section 22, T.38 N., R.39 E., M.D.B. & M.**

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

8. Description of proposed works **Drilled well, pump, motor, ditches or pipelines**

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

10. Estimated time required to construct works **drilled well with 20" hole 300 feet deep. Well is cased with 16" casing from 0 to 300 feet deep. No information available regarding pump and motor.**

11. Estimated time required to complete the application of water to beneficial use **5 years**

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12. Remarks: **Please use the maps filed to accompany the application and proof of beneficial use under permit no. 29917, certificate no. 9494 in support of this application to illustrate the proposed point of diversion and proposed place of use. It is the intention of the applicant under this application to use the same well to irrigate the same lands with the same diversion rate and duty as certificated under permit no. 29917, certificate no. 9494.**

By **s/Laura Schroeder**
PO Box 12527
Portland, OR 97212

Compared **sg/dl**

Protested

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DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that the granting thereof would violate the provisions of State Engineer's Order No. 832, conflict with existing rights, and threaten to prove detrimental to the public interest.

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

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 9th day of May, A.D. 2008

Tracy Taylor, P.E.
State Engineer

EXHIBIT A

The applicant recognizes that the State Engineer issued Order #832, Notice of Curtailment of Water Appropriation within the Designated Paradise Valley Ground Water Basin, on December 1, 1983. The language of the order specifically provides:

> All applications filed after December 1, 1983, to appropriate underground water to irrigate additional land within the Designated Paradise Valley Ground Water Basin will be denied.

At the time the order was issued, underground water was appropriated for irrigating the lands under Certificate Nos. 4388, 4851, 5340, 5341, 5342, 6542, 8542, 9494, and 9495.

Consistent with the requirements of Order #832, this application though filed after December 1, 1983, does not request appropriation of underground water to irrigate additional lands within the Designated Paradise Valley Ground Water Basin, but rather seeks an appropriation to irrigate lands previously irrigated before December 1, 1983 under the valid Certificates listed above.