Application No. 77498

THE STATE OF NEVADA

APPLICATION TO APPROPRIATE WATER

Name of Permittee:	**PAUL AND LORI BOTTARI**
Source:	**3 MILE HOT SPRING (SPRING)**
Basin:	**MARYS RIVER AREA**
Manner of Use:	**IRRIGATION**
Period of Use:	**APRIL 1ST TO OCTOBER 15TH**
Priority Date:	**10/17/2008**

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DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that there is no unappropriated water in the source and further granting thereof would adversely affect existing rights and would threaten to prove to be detrimental to the public interest.

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of August, A.D. 2011

J. K. P.E.

State Engineer

AMENDED

Application No. 77498

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

THIS SPACE FOR. OFFICE USE ONLY

Date of filing in State Engineer's Office OCT 17 2008

Returned to applicant for correction OCT 22 2008

Corrected application filed NOV 20 2008 Map filed NOV 20 2008

The applicant Paul and Lori Bottari

P.O. Box 135 (Street Address Or P.O. Box) of Wells (City or Town)

Nevada, 89835 (State and Zip code No.) hereby make(s) 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 water is Three Mile Spring (Name of stream, lake, underground, spring or other sources)
2. The amount of water applied for is 0.134 cfs (One second foot equals 448.83 gallons per minute.) second feet.
   (a) If stored in reservoir give number of acre-feet
3. The water to be used for Irrigation (Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.)
4. If use is for:
   (a) Irrigation, state number of acres to be irrigated 20.00 acres
   (b) Stockwater, state number and kind of animals
   (c) Other use (describe fully in No. 12)
   (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: (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.)

NW1/4 SE1/4 of Section 20 T.38 N., R.62 E., M.D.B. & M., at a point from which the South 1/4 Corner of said Section 20 bears S 38° 53' 04" W, 1915.71 feet.

6. Place of use (Describe by legal subdivision. If on unsurveyed land, it should be so stated) portion of SE

NW1/4 SE1/4, SE1/4 SE1/4 and a portion of the SW1/4 SE1/4 and the SW1/4 SW1/4 of Section 20, T.38 N., R.62 E., M.D.B.& M.

7. Use will begin about April 1st (Month and Day) and end about October 15th (Month and Day) 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.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

Ditches

9. Estimated cost of works: $1,000

10. Estimated time required to construct works: 3 years (If well completed, describe works.)

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

12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

Ditches to supply water to irrigate 20.00 acres within the proposed place of use. The applicant has indicated that the flow comes onto his property and spreads out making a meadow that gets to much water to be good quality feed. Since the earthquake there is more water flowing from the spring and several hot springs on the property have dried up. The applicant plans to ditch along edges of the meadow and run laterals so he can control the water.

13. Miscellaneous remarks:

The applicant has also indicated that the flow from this spring never reaches the East Fork of the Humboldt River. Before the earthquake the flow from the spring never reached the county road, but since that time it does with the increased flow. According to a neighbor who has lived there all his life, he hasn't seen it reach the county road since the 1950's.

remorley@frontiernet.net
E-mail Address

Robert E. Morley
Type or print name clearly

By Robert E. Morley
Signature, applicant or agent

(775) 738-4053
Phone No.

High Desert Engineering, LLC
Company Name

640 Idaho Street
Street Address or P.O. Box

Elko, Nevada 89801
City, State, Zip Code

STATE ENGINEERS OFFICE
2008 NOV 20 PM 4: 13
RECEIVED

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Revised 11-07

Protested: December31, 2008, by Martha P. Sims-Hoots