

Second Amended

Amended

Application No. 77599

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 NOV 17 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed DEC 01 2008 under 77575

The applicant U.S. Fish & Wildlife Service, an agency of the U.S. Department of the Interior

911 NE 11th Ave of Portland

Street Address or P.O. Box

City or Town

OR 97232 hereby make(s) application for permission to appropriate

State and Zip Code

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 Apcar Springs, also known as Pipeline Jones Spring
Name of stream, lake, underground, spring or other sources.
2. The amount of water applied for is 3.0 (non-consumptive) second feet.
One second foot equals 448.83 gallons per minute.
 - (a) If stored in reservoir give number of acre-feet N/A
3. The water to be used for wildlife (In-stream flow)
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 _____
 - (b) Stockwater, state number and kind of animals _____
 - (c) Other use (describe fully in No. 12) See Item 12
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____

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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.)
The points of diversion are four apparent overflow points from the Moapa Valley Water District pumping plant ("A" through "D") and 10 natural springs and seeps in the NW 1/4 SE 1/4, and SW 1/4 SE 1/4 Section 16 T14S R65E MDM, Clark County Nevada. See the attached Table 1 and the accompanying application map for ties to the E 1/16th corner common to Sections 16 and 21, T14S R65E MDM.
6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)
The Place of Use is the spring pools and outflow channels from the sources downstream to the locations where the two channels intersect the refuge boundary and leave the Moapa Valley National Wildlife Refuge. The legal description for the Place of Use is the NW 1/4 SE 1/4, and SW 1/4 SE 1/4 Section 16 T14S R65E MDM, Clark County Nevada.
7. Use will begin about January 1 and end about December 31 of each year.
Month and Day Month and Day
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.)
Outflow channels are already in place. Measuring devices will be installed at or near the point where the outflow channels leave the Refuge.
9. Estimated cost of works: \$5,000
10. Estimated time required to construct works: 1 year
(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.)
The right will be for maintenance of stream flow and non-consumptive in situ appropriation to maintain habitat for Moapa dace and other aquatic wildlife species. Currently some of the spring flow from Aparar Springs is diverted to a spring house where the Moapa Valley Water District takes 1.0 cfs for their municipal supply. The intent of this application is to appropriate the remaining spring flow, together with the flow from other springs and seeps on this area of the Refuge. The total of this flow is estimated to be 3.0 cfs or less. All of the flow is channeled into two separate streams which flow easterly and exit the Refuge at the right of way of Warm Springs Road.
13. Miscellaneous remarks:

Dar_Crammond@fws.gov
E-mail Address

(503) 231-6145
Phone No.

APPLICATION MUST BE SIGNED
 BY THE APPLICANT OR AGENT

By Dar Crammond, Water Resources Branch
Type or print name clearly

Dar Crammond (Acting)
Signature, applicant or agent

U.S. Fish & Wildlife Svc. Div of Engineering
Company Name

911 NE 11th Ave
Street Address or P.O. Box

Portland OR 97232
City, State, Zip Code

STATE ENGINEERING
 2008 DEC 1
 RECEIVED
 PM 1:09

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Revised 11-07

Protested: December 26, 2008, by Moapa Valley Water District ; January 26, 2009, by SNWA

Table 1: Points Of Diversion for "Apcar Springs" aka Pipeline Jones Spring

Ties to the E 1/16th corner common to Sections 16 and 21, T14S R65E MDM:

Source or Spring	Bearing	Distance	Description
A	S 30°05' E	1623'	Flow of unknown origin
B	S 30°11' E	1617'	Overflow pipe
C	S 31°13' E	1587'	Overflow pipe
D	S 31°21' E	1581'	Overflow pipe
1	S 29°15' E	1606'	Spring
2	S 27°59' E	1601'	Spring
3	S 27°43' E	1597'	Spring
4	S 27°20' E	1606'	Spring
5	S 27°09' E	1623'	Spring
6	S 22°40' E	1789'	Spring
7	S 23°44' E	1700'	Spring
8	S 24°13' E	1704'	Spring
9	S 24°30' E	1676'	Spring
10	S 23°58' E	1668'	Spring