Application No. 77687

THE STATE OF NEVADA

APPLICATION TO APPROPRIATE WATER

Name of applicant:	**PACIFIC RECLAMATION WATER COMPANY**
Source:	**BISHOP CREEK**
Basin:	**MARYS RIVER AREA**
Manner of Use:	**IRRIGATION**
Period of Use:	**April 15th to August 15th**
Priority Date:	**12/15/2008**

****

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that there is no unappropriated water in the source and granting thereof would adversely affect existing rights and would be 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 20th day of April, A.D. 2009

FOR State Engineer

Application No. 77687

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 DEC 1 5 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAY 06, 1944

The applicant Pacific Reclamation Water Company c/o James Bradish Dalton

HC 60, Box 130 (Street Address Or P.O. Box) of Wells (City or Town)

Nevada (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.)

1911, Incorporated in Nevada

1. The source of water is Bishop Creek (Name of stream, lake, underground, spring or other sources)
2. The amount of water applied for is 9.00 cfs (See Remarks) second feet. (One second foot equals 448.83 gallons per minute.)
   (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 3455.1 Ac. (See Remarks)
   (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 NE1/4 of Section 27, T.39 N., R.62 E., M.D.B. & M., at a point from which the South 1/4 corner of said Section 27 bears S 15° 05' 00" W, 4285.00 feet. (Please use the map that accompanied Permit 11125, Certificate 2846 to illustrate the proposed Point of Diversion)

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

Portions of Sections 18, 19, & 28 through 32, all in T.39 N., R.62 E., M.D.B. & M., and Portions of Sections 13, 14, 15, & 22 through 25 all in T.39 N., R.61 E., M.D.B. & M. (Please use the map that accompanied Permit 11125, Certificate 2846 to illustrate the proposed Place of Use.)

7. Use will begin about April 15 (Month and Day) and end about August 15 (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.)

The present diversion structure and distribution system in place under Permit 11125 will be used.

9. Estimated cost of works: See Item 12 & 13

10. Estimated time required to construct works: See Item 12 & 13 (If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use See Item 12 & 13

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 waters applied for is additional flow which has become available over the historical flows as a result of the earthquake which occurred in the vicinity of Wells, Nevada in the spring of 2008. This additional water will be used in conjunction with the present irrigation system composed of the Bishop Creek Reservoir, Bishop Creek, Johnson Creek, Burnt Creek, and Trout Creek and to supplement existing Permits 11125, 11126, 11127, and 11128.

13. Miscellaneous remarks:

The cost and time to construct works is nominal as all diversions and distribution ditches exist. Some additional improvements will be added to the present system to accommodate the additional waters and that will be accomplished within the next three years in conjunction with the reconstruction of the Bishop Creek Reservoir. Assignment of Permit 11125 to Metropolis Water Irrigation District is being held in abeyance pending final settlement of the claim of Michael Howell. Please see additional remarks attached.

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 ENGINEER'S OFFICE
2009 DEC 15 PM 12: 26

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Revised 11-07

Protested: January 9, 2009, by Pershing County Water Conservation District of Nevada; January 12, 2009, by Humboldt River Basin Water Authority; January 26, 2009, by Howell Angus Ranch, LLC; January 28, 2009, by Martha P. Hoots; February 9, 2009, by Dorsey Land, LLC; February 9, 2009, by Craig Spartling; February 9, 2009, by Michael Howell; February 17, 2009, by Frank and Phyllis Hooper; February 17, 2009, by Willy and Tennille Whitaker