



## THE STATE OF NEVADA

### PERMIT TO APPROPRIATE WATER

**Name of applicant:** US FISH AND WILDLIFE SERVICE  
**Source:** UNDERGROUND  
**Basin:** AMARGOSA DESERT  
**Manner of Use:** WILDLIFE  
**Period of Use:** January 1st to December 31st  
**Priority Date:** 08/13/2009

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#### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to existing rights. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level. This well shall be equipped with a two (2) inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. A totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of water begins, or before the Proof of Completion of Work is filed. This source is located within an area designated by the State Engineer, pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permit 65320, Certificate 16190 and Permit 78832 shall not exceed 9.42 acre feet annually.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

(Continued on Page 2)

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.0446 cubic feet per second or 9.42 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

February 10, 2012

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

February 10, 2014

Map in support of proof of beneficial use shall be filed on or before:

N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 10th day of **February**, A.D. **2010**

*K.L. Howell P.E.*  
for State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

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**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	<u>AUG 13 2009</u>
Returned to applicant for correction	_____
Corrected Application filed	_____ Map filed <u>AUG 14 2009</u>

The applicant U.S. Fish and Wildlife Service  
911 NE 11th Avenue of Portland  
Street Address or P.O. Box City or Town

OR 97232-4181 hereby make(s) application for permission to appropriate the  
State and ZIP Code  
 public waters of the State of Nevada, as hereinafter stated. (If applicant incorporation; if a copartnership or association give names of members.)

This application is for diversion rate only.

1. The source of water is underground  
Name of the stream, lake, underground, spring or other sources. P. 65320
2. The amount of water applied for is 0.0446 cfs / 9.42 afy (Combined rate and duty from this well and C. 16190.)  
One second foot equals 448.83 gallons per minute.
  - (a) If stored in a reservoir give the number of acre-feet \_\_\_\_\_
3. The water is to be used for Wildlife purposes.  
Irrigation, power, mining, commercial, domestic or other use. Must be limited 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) Wildlife purposes. Water supply for Devil's Hole Pupfish Refugium.
  - (d) Power:
    - (1) Horsepower developed \_\_\_\_\_
    - (2) Point of return of water to stream \_\_\_\_\_

*230-124*

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.)

~~S 74° 43' W 1,152 feet from the NE corner of Section 2, being within Lot 1 (NE 1/4 NE 1/4) Section 2, T. 18 S. R. 50 E. M.D.M., approximately 27 feet west of the existing well/POD for Certificate 16190.~~

Lot 1 (NE 1/4 NE 1/4) Section 2, T. 18 S., R. 50 E., M. D. B.+M., or at a point from which the NE corner of said Section 2 bears N. 74° 43' E a distance of 1,152 feet (approx. 27 feet W of existing POD for Permit 65320 C. 16190).

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

Lot 1 (NE 1/4 NE 1/4) Section 2, T. 18 S., R. 50 E., M.D.M.

7. Use will begin about January 1 <sup>Month and Day</sup> and end about December 31 <sup>Month and Day</sup> 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 a pump and motor, etc.)

P. 65320

A new well will be drilled west of the existing well (C. 16190). Both wells will be operable, and cumulative total withdrawal will not exceed 0.0446 cfs (20 gpm) and 9.42 afy diversion. We will set a 5 gpm pump in the existing well and a 20 gpm pump in the new well with an instantaneous/totalizing flow meter on the combined discharge pipeline.

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9. Estimated cost of works: Up to \$200,000

10. Estimated time required to construct works: Six months

(If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: One year

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 purpose is to provide water for a refugium which will hold a population of the Devil's Hole Pupfish. The refugium will be supplied with reused water recycled through a treatment system that includes filtration. The well water will provide a make-up flow to the refugium water reuse system. Water will also be used in aquaria and tanks located in a building adjacent to the refugium. See attachment for description continuation.

13. Miscellaneous remarks:

Under no circumstances will this additional point of diversion result in any expansion of the rate or duty of this water right. Use of this point of diversion will not interfere with any existing water rights. The proposed well supplies the Devil's Hole Pupfish Refugium, a project to ensure the survival of this endangered species, which is strongly in the public interest.

dar crammond@fws.gov

E-mail Address

(503) 231-2098

Phone No.

James D. Crammond

James D. Crammond  
Type or print name clearly  
Signature, applicant or agent

U.S. Fish and Wildlife Service

Company Name

911 NE 11th Avenue, 2W-EN

Street Address or PO Box

Portland, OR 97232-4181

City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Attachment for continuation of Paragraph 12.

These aquaria and tanks will be used for pupfish propagation and other fish culture purposes. Prior to being piped to the refugium water system, some of the water will pass through a heat exchanging system to provide heat for the building when required. A portion of the water will also be used for domestic purposes for a toilet and sinks in the building. The existing well will be maintained with a pump and piping for emergency use if the new well water supply is interrupted by pump failure or other reasons. This will ensure a continual supply of water for fish survival. The output from both wells will pass through a meter on a combined discharge pipe to monitor water use.