



## THE STATE OF NEVADA

### PERMIT TO APPROPRIATE WATER

**Name of Permittee:** BARTELL RANCH, LLC  
**Source:** HORSE CREEK  
**Basin:** QUINN RIVER VALLEY-OROVADA SUBAREA  
**Manner of Use:** STORAGE  
**Period of Use:** JULY 16TH THROUGH MARCH 14TH  
**Priority Date:** 12/06/2012

\*\*\*\*\*

#### 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 primary permit, to store 950.0 acre-feet of water between July 16 and March 14, is issued subject to all existing rights on the source and also subject to NRS 535.010. This primary permit is for storage of water from Horse Creek and tributaries and is issued under the authority of NRS 533.440. Secondary Applications are required for the use of this water. The final water right obtained will be dependent upon the amount of water actually placed to beneficial use under the secondary permits. Measuring devices must be installed and accurate measurements must be kept of water stored and discharged to beneficial use. 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 stored under this permit and the records submitted to the State Engineer not later than April 30 of each year.

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 to be stored under Permits 82341 and 82342 shall not exceed 950 acre-feet per season.

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

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

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 9.50 cubic feet per second or 950.0 acre-feet per season.**

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

September 13 2015

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

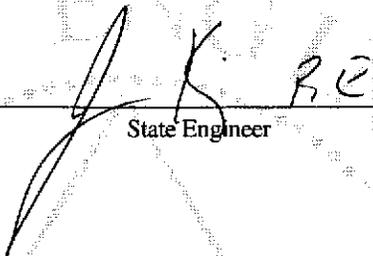
N/A

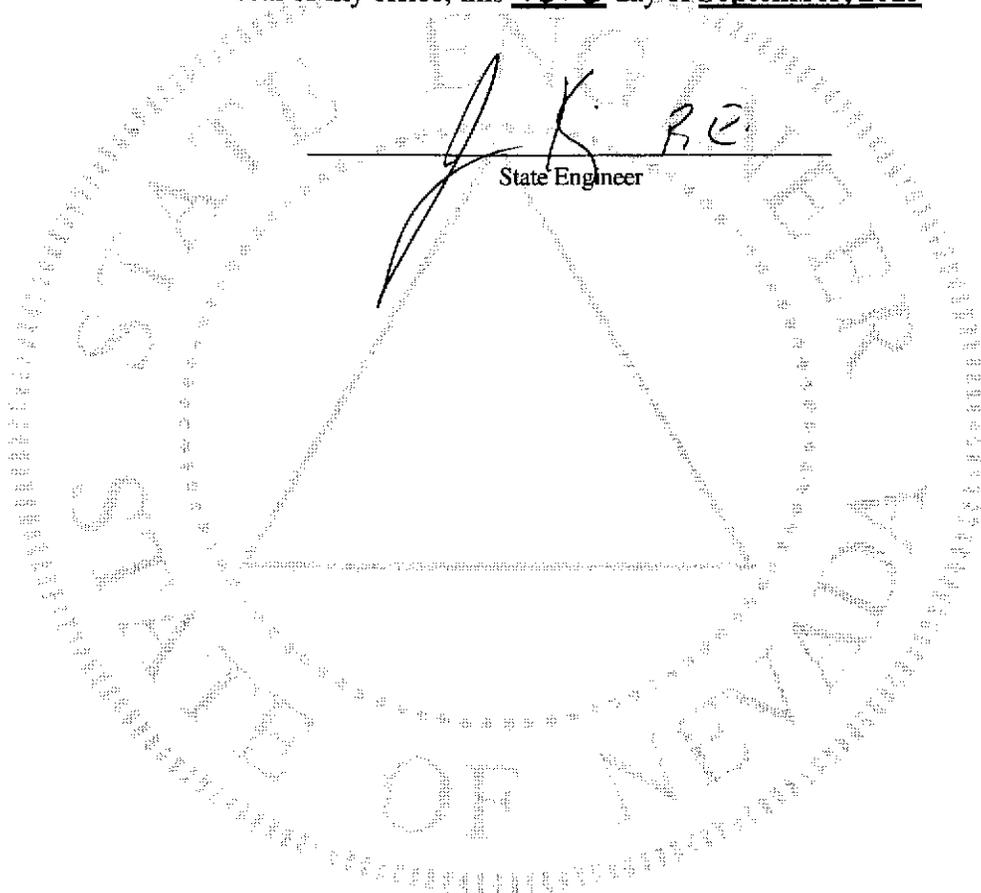
Map in support of proof of beneficial use shall be filed on or before:

N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13<sup>th</sup> day of **September, 2013**

  
\_\_\_\_\_  
State Engineer



AMENDED

Application No. 82342

### 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>DEC 06 2013</u>
Returned to applicant for correction	<u>DEC 11 2013</u>
Corrected Application filed	<u>JAN 29 2013</u>
Map filed	<u>JUL 11 1977 UNDER v02934</u>

The applicant Bartell Ranch LLC

P.O. Box 130 \_\_\_\_\_ of Orovada  
Street Address or P.O. Box City or Town

Nevada, 89425 \_\_\_\_\_ 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 is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)  
Nevada June 5th, 2009

1. The source of water is Horse Creek  
Name of the stream, lake, underground, spring or other sources.
2. The amount of water applied for is 9.50 cfs  
One second foot equals 448.83 gallons per minute.
  - (a) If stored in a reservoir give the number of acre-feet 950 acre feet
3. The water is to be used for storage  
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) storage
  - (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.)

See attachment

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

800.00 acres lying within portions Section 15 (except the N1/2NE1/4NW1/4 & N1/2NW1/4NE1/4), SE1/4 and S1/2NE1/4 of Section 16, E1/2 and N1/2SW1/4 of Section 21 and Section 22 all in T.42N., R.37E., M.D.B.&M.

7. Use will begin about July 16th and end about March 14th 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 a pump and motor, etc.)

Water is to be diverted by an existing system of dams and ditches and stored in two small reservoirs (Js-186 and Js-187) and additional proposed small reservoirs.

9. Estimated cost of works: \$50,000.00±

10. Estimated time required to construct works: 6 years

(If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 10 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.)

Applicant proposes to use the existing system of dams and ditches to store up to 950 acre feet and irrigate 800 acres within the proposed place of use, during the non irrigation portion of the year. Water will stored in a series of small reservoirs on the upper portion of the place of use, which will allow for the more efficient use of the water to irrigated the lower portions of the place of use.

13. Miscellaneous remarks:

Please use the maps supporting Proof 02937 for the proposed points of diversion. This application is being filed to appropriate the water from Horse Creek and tributaries during the non irrigation portion of the year as described in the Adjudication of McConnell Creek, Dog Creek, Horse Creek, Falls Creek, Pine Creek, Buffalo Creek and their tributaries.

dms@winnemucca.net  
E-mail Address  
775-623-4414  
Phone No. Ext.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

John H. Milton III  
Type or print name clearly  
John H. Milton III  
Signature, applicant or agent  
Desert Mountain Surveying  
Company Name  
146 West Second Street  
Street Address or PO Box  
Winnemucca, Nevada, 89445  
City, State, ZIP Code

RECEIVED  
2013 JAN 29 AM 10:20  
STATE ENGINEERS OFFICE

**Attachment**  
**Question "5"**  
**Horse Creek**

1. SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 18, T.42N., R.38E., M.D.B.&M., or at a point from which the East  $\frac{1}{4}$  corner of Section 13, T.42N., R.37E., M.D.B.&M., bears N. 76°33' W., 5425.0 feet.
2. NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 13, T.42N., R.37E., M.D.B.&M., or at a point from which the East  $\frac{1}{4}$  corner of said Section 13 bears N. 24°30' E., 632.0 feet.
3. SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 14, T.42N., R.37E., M.D.B.&M., or at a point from which the East  $\frac{1}{4}$  corner of Section 13, T.42N., R.37E., M.D.B.&M., bears N. 78°29'10" E., 6450.5 feet.
4. SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 14, T.42N., R.37E., M.D.B.&M., or at a point from which the East  $\frac{1}{4}$  corner of Section 13, T.42N., R.37E., M.D.B.&M., bears N. 77°55' E., 6765.0 feet.
5. SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 14, T.42N., R.37E., M.D.B.&M., or at a point from which the South  $\frac{1}{4}$  corner of said Section 14 bears S. 62°40' E., 1840.0 feet.
6. NE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 14, T.42N., R.37E., M.D.B.&M., or at a point from which the NW corner of said Section 14 bears N. 31°15' W., 3265.0 feet.

RECEIVED  
2013 JAN 29 AM 10:20  
STATE ENGINEERS OFFICE