



THE STATE OF NEVADA
APPLICATION TO APPROPRIATE WATER

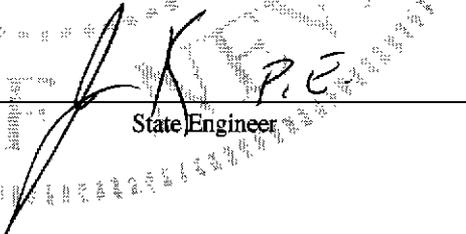
Name of Applicant: W.H. GIBBS, CO
Source: UNDERGROUND
Basin: MARYS RIVER AREA
Manner of Use: STOCKWATERING
Period of Use: JANUARY 1ST THROUGH DECEMBER 31ST
Priority Date: 10/09/2015

DENIAL OF STATE ENGINEER

This application is hereby denied on the grounds that approval of the application would conflict with existing rights and that it threatens to prove 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 19th day of September, 2016


State Engineer

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 09 2015

Returned to applicant for correction _____

Corrected application filed _____ Map filed OCT 09 2015

The applicant W.H. Gibbs, Co.

HC 62 Box 900 of Wells
Street Address Or P.O. Box City or Town

Nevada 89835 hereby make(s) application for permission to appropriate
State and Zip code No.

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.)

August 18, 1960 in Elko, Nevada

RECEIVED
 2015 OCT - 9 AM 11:58
 STATE ENGINEERS OFFICE

1. The source of water is Underground
Name of stream, lake, underground, spring or other sources
2. The amount of water applied for is 0.0188 cfs
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 Stockwater
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 600 cattle
 - (c) Other use (describe fully in No. 12) _____
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____

4-42
73

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.)

Lot 4 (SW1/4 SW1/4) of Section 18, T.42 N., R.60 E., M.D.B. & M., at a point from which the Southwest Corner of said Section 18 bears S 14° 31' 43" W, 474.96 feet.

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

Lot 4 (SW1/4 SW1/4) of Section 18, T.42 N., R.60 E., M.D.B. & M.

7. Use will begin about January 1st and end about December 31st 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.)

Drilled Well, pump, pipelines and troughs.

9. Estimated cost of works: \$10,000.00

10. Estimated time required to construct works: well complete under Permit 84373 T
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.)

Drilled well with pump and pipelines to supply water to troughs to water 600 head of cattle within the proposed place of use.

13. Miscellaneous remarks:

remorley@frontiernet.net
E-mail Address

(775) 738-4053 _____
Phone No. Ext

Robert E. Morley

Type or print name clearly

Robert E. Morley

Signature, applicant or agent

High Desert Engineering, LLC

Company Name

640 Idaho Street

Street Address or P.O. Box

Elko, Nevada 89820

City, State, Zip Code

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

S360 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

AFFIDAVIT IN SUPPORT OF STOCK-WATER APPLICATION

I [name] W.H. Gibbs Co. by Wyatt Mesna, being first duly sworn, deposes and say I or my agent filed a water right application with the Nevada Division of Water Resources to appropriate water for stock-watering purposes. Application Numbers (if numbers have already been assigned).

Whereas, Nevada Revised Statute § 533.503(1) provides that the State Engineer shall not issue a permit to appropriate water for the purpose of watering livestock unless:

(a) The applicant for the permit is legally entitled to place the livestock on the lands for which the permit is sought, and:

(1) Owns, leases or otherwise possesses a legal or proprietary interest in the livestock on or to be placed on the lands for which the permit is sought; or

(2) Has received from a person described in subparagraph (1), authorization to have physical custody of the livestock on or to be placed on the lands for which the permit is sought, and authorization to care for, control and maintain such livestock;

(b) The forage serving the beneficial use of the water to be appropriated is not encumbered by an adjudicated grazing preference recognized pursuant to law for the benefit of a person other than the applicant for the permit; and

(c) The lack of encumbrance required by paragraph (b) is demonstrated by reasonable means, including, without limitation, evidence of a valid grazing permit, other than a temporary grazing permit, that is issued by the appropriate governmental entity to the applicant for the permit.

IF THE APPLICATION IS FOR STOCK WATERING ON PRIVATE LAND: I testify that I am the owner or lessee (check one) of the place of use where the livestock is to be watered.

IF THE APPLICATION IS FOR STOCK WATERING ON PUBLIC LAND: I testify that I hold the valid federal grazing permit, other than a temporary grazing permit, that is issued by the appropriate governmental entity to the applicant for the water right permit.

I testify that I am the (1) owner or (2) lessee or (3) possess a legal or proprietary interest in the livestock to be watered under this application (check applicable criteria) OR I have received (check if applicable) from the person who owns or leases or otherwise possess a legal or proprietary interest in the livestock authorization to have physical custody of the livestock and authorization to care for, control and maintain such livestock.

I have read all the statements in this Affidavit and the Affiant declares that the statements are true and correct to the best of my knowledge and belief.

State of Nevada
County of Elko

Signed *Wyatt Mesna*
Applicant (Cannot be signed by an agent)

Subscribed and sworn to before me on Sept. 25, 2015 Address HC 62 Box 900
Street Address or P.O. Box

by Wyatt Mesna

Wells, NV 89835
City, State, Zip Code

Charlene A. Jones
Signature of Notary Public Required

Phone 775-472-3003

Email jessicamesna@yahoo.com



RECEIVED
15 OCT 9 AM 11:58
STATE ENGINEERS OFFICE