



APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Nevada

1. Date of receipt of Application FILED FEB 8 - 1908

2. Name of applicant Goldfield Con Water Co.

Postoffice address: Goldfield
County Esmeralda

- I. If applicant is a corporation, give
 - (a) Date and place of corporation _____
 - (b) The amount of capital stock _____
 - (c) The amount paid in _____
 - (d) The names and addresses of Directors _____

3. The quantity of water claimed is one cubic feet per second.

4. Source of water supply Springs & Stream and Seepage Water

5. Location of point of diversion SW⁴ of SE⁴ Sec-36-T.5.S.R.40E
at or about N. 72° 38' E. 3341.5 ft. from S.W. Cor. Sec.

6. To be used for: 36 - T.5-S-R.40 E.

- I. Irrigation and domestic use:
 - (a) Number of acres to be irrigated _____ acres.
 - (b) In the following legal subdivisions _____
(A list of lands to be irrigated may be appended as a part of this application.)

Corrected course
N. 76° 36' E. 4310' Sec. 36
from S.W. cor. of
letter of March 25-07

- II. Mining, power, manufacturing or transportation purposes:
 - (a) To be used for min Mill Manuf. & Dom.
 - (b) Amount of power to be generated _____ horse power.
 - (c) At what point Goldfield
 - (d) Is water to be returned to stream, ("yes" or "no") No.
 - (e) If "yes" at what point _____

7. Estimated cost of works \$ 25 000 00

8. Description of works for diversion: _____

- I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise)
Pipe line 7 1/2 miles long, through which
water will be delivered into the Montezuma
pipe line a main Goldfield Supply.
(To apply on # 27)



APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Nevada

FILED FEB 8 - 1908

- 1. Date of receipt of Application _____
- 2. Name of applicant Goldfield Con Water Co.
Postoffice address: Goldfield
County Esmeralda

If applicant is a corporation, give:

1283. Judgment and Decree of Foreclosure and Sale entered October 1, 1937 in favor of Clifford A. Smith, Trustee vs The Goldfield Water Company. Filed Feb. 21, 1938 in file 1045.

- 3. The quantity of water claimed is one cubic feet per second.
- 4. Source of water supply Spring & Stream and Seepage Water

- 5. Location of point of diversion SW 1/4 of SE 1/4 Sec-36-T.5.S.R. 40E.
at or about N. 72° 38' E. 3341.5 ft. from S.W. Cor. Sec.
- 6. To be used for: 36 - T.5-S-R. 40 E.

I. Irrigation and domestic use:

- (a) Number of acres to be irrigated _____ acres.
- (b) In the following legal subdivisions _____
(A list of lands to be irrigated may be appended as a part of this application.)

Corrected course
N. 76° 36' E. 4310'
from S.W. cor Sec. 36
letter of March 25-07

II. Mining, power, manufacturing or transportation purposes:

- (a) To be used for min Mill Manuf. & Dom.
- (b) Amount of power to be generated _____ horse power.
- (c) At what point Goldfield
- (d) Is water to be returned to stream, ("yes" or "no") no.
- (e) If "yes" at what point _____

7. Estimated cost of works \$ 25 000 00

8. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes or otherwise)
Pipe line 7 1/2 mels long. through which
water will be delivered into the Montezuma
pipe line a main Goldfield supply.
(To apply on # 27)

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Nevada

1. Date of receipt of application FILED FEB 8-1909

2. Name of applicant The Goldfield Consolidated Water Co.

Postoffice address Goldfield Nev.

County Esmeralda,

I. If applicant is a corporation, give

(a) Date and place of corporation Carson City Nev., Aug, 17, 1905.

(b) The amount of capital stock 1000000. Shares Par Value \$1.00

(c) The amount paid in 1000000. Shares

(d) The names and addresses of directors T.B.Rickey, Berkley, Cal., L.B.Curtis, Denver Colo., E.S.Smith, Denver Colo.,

F.M.Ish, Oakland Cal., Chas.G.Patrick, Goldfield, Nev.

3. The quantity of water claimed -----ONE----- cubic feet per second.

4. Source of water supply Springs and Stream and Seepage Water

5. Location of point of diversion SW 1/4 of S.E. 1/4 Sec. 36, T. 5 S.R. 40 E.M.D.M.

at or about N. 76° 36' E. 4310' N. 72° 38' E. 3341.5-ft. from the S.W. Cor. of Sec. 36, T. 5 S.R. 40 E., M.D.M.

6. To be used for

I. Irrigation and domestic use:

(a) Number of acres to be irrigated is _____ acres.

(b) In the following legal subdivisions _____

(A list of lands to be irrigated may be appended as a part of this application.)

II. Mining, power, manufacturing, or transportation purposes:

(a) To be used for Mining, Milling, Manufacturing and Domestic Purposes.

(b) Amount of power to be generated _____ horse power.

(c) At what point Goldfield Nevada.

(d) Is water to be returned to stream? ("Yes" or "No") No.

(e) If "yes," at what point? _____

7. Estimated cost of works \$25000.00 Twenty Five Thousand Dollars

8. Description of works for diversion:

I. Kind of works (reservoir, dam, ditch, flume, pipes, or otherwise) Pipe Line 7 1/2 Mile long by means of which water will be delivered into the Montezuma Pipe Line or the main Goldfield supply.

This application to apply on and appropriate the same water as specified in application #27, Dated December 20, 1905, and final proof of same Dated June 22, 1908, for which Certificate was regularly issued and recorded.

II. Dimensions of works:

(a) Height of dam, feet; length of dam at top, feet; length of dam bottom, feet; material used in construction (wood, earth, stone, or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate—width, feet; height, feet.

Pipe to be 7" and 4" Diam

(d) Ditch (flume or pipe)—width at bottom, feet; width at water line, feet

Average grade per mile is 40 feet. Length of ditch is 7½ miles, and crosses the

following quarter-sections: S.E.¼ Sec.36, T.5S.R.40 E., N.E.¼ Sec.1 T.6S.R.40E., NW¼ & NE¼ Sec.6, NW¼ & NE¼ Sec.5, T.5S.R.41 E., SE¼ Sec.32, SW¼NW¼ & NE¼ Sec.33, SE¼ & NE¼ Sec.28, NW¼ Sec.27, SW¼ & NW¼ SEC.22, NE¼ & NW¼ Sec.21, SW¼ Sec.16, SE¼, NE¼ & NW¼ Sec.17, T.5S.R.41E.M.D.M.

to Montezuma Pipe Line which is the point of intended use.

REMARKS:

(This space is not to be written in by applicants.)

APPROVAL OF STATE ENGINEER

The number of this permit is 1283.....

Date of receipt of first application February-8th....., 1909

Returned to applicant for correction -----, 19---

Corrected application received-----, 19---

Publication of notice completed May 1st....., 1909 Filed May, 3-1909.

Recorded in Book "G"....., page 1283

Approved January 26th.1914.-----, 19--

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Nevada, and hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated not more than One cubic feet per second.

The construction of the within-described works to be commenced not later than May-26-1914

One-fifth of the work specified to be completed on or before September 26-1914.

The whole of said work to be completed on or before May 26th.1915.

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to October 26th.1915.

Witness my hand this 26th. day of January, 1914.-----, 19--

This permit is issued subject to prior rights, particularly subject to the rights acquired under permit No.27, issued from this office.

W.M. Kearney State Engineer

Map filed APR 18 1914

Proof of labor filed MAY 15 1914

of beneficial use filed MAY 15 1914

Permit issued, July 22, 1914, No. 205, Bk. 3.

PROTESTED. April-29-09 by L.E.Campbell through his attys. Thompson-Morehouse & Thompson, Goldfield.



Permit No.

Quantity appropriated

From

For

Location of point of diversion, Section, Township, Range

Name

P. O. address

Application received

Approved

Recorded in Book, Page

Final proof of beneficial use of water appropriated in accordance with this permit rendered

NEVADA STATUTES REGARDING APPROPRIATIONS OF WATER

SEC. 24. Any person, association or corporation desiring to appropriate any of the public waters, or to change the place of diversion or manner of use of water now appropriated, shall before performing any work in connection with such appropriation make an application to the State Engineer for permission to make the same. Said application shall set forth the name and postoffice address of the applicant, the source from which said appropriation shall be made, the amount thereof, location of proposed works in connection therewith, the purposes for which the appropriation is desired, and if for irrigation a description of the land to be irrigated and the area thereof, and any additional facts required by the State Engineer. On receipt of this application, which should be of a form prescribed by the State Engineer and to be furnished by him without cost to the applicant, it shall be his duty to make a record thereof in his office, and to carefully examine the same to ascertain whether it sets forth all the facts necessary to determine the nature and amount of the proposed appropriation. If the application be defective it shall be the duty of the State Engineer to return the same to the applicant for correction, and sixty days shall be allowed for the refile thereof. If refiled, corrected in proper form, within such time, the application shall, upon being accepted, take priority as of the date of original filing subject to compliance with the further provisions of the law and regulations thereunder. *Stats. 1907, p. 33.*

SEC. 25. If said application is not corrected and refiled within said sixty days, no further proceedings shall be had on such application, in which event the State Engineer shall have the power, and it is hereby made his duty, to cancel said application and all proceedings thereunder. When any application is filed in compliance with this Act, the State Engineer shall, within thirty days, at the expense of the applicant, to be paid in advance as herein provided, publish or cause to be published, in a newspaper having a general circulation, and printed and published in the county where such water is sought to be appropriated, a notice of the application, showing by whom made, the quantity of water sought to be appropriated, the stream from which and the point at which the appropriation is to be made, the use for which and by what means said water is to be appropriated, which notice shall be published in said newspaper once a week for a period of at least four consecutive weeks; and within days from the time of filing such application there shall be filed in the office of the State Engineer an affidavit from the publisher or manager of said newspaper, stating that such publication was had in compliance with said Act, the dates of the issues of said newspaper wherein such publications were made, and that such newspaper is a newspaper having a general circulation, and that the affiant is the publisher or manager thereof, as aforesaid. Any person, corporation, or association interested may, at any time within thirty days after the completion of the publication of said notice, file with the State Engineer a written protest against the granting of said application, stating the reasons therefor, and thereupon the State Engineer shall fix a time for the hearing of such application and protest, and the time so fixed shall not be less than fifteen days after the filing of such protest. Upon such hearing the State Engineer may, in his discretion, hear evidence in support of or against such application, and shall take such action thereon as he may deem proper and just; but vested rights to the use of such waters shall in no wise be lost, prejudiced or impaired by failure to protest against an application to appropriate under the provisions of this Act. *Stats. 1909, pp. 33-34.*

SEC. 26. If there is no unappropriated water in the source of supply, or if such change of place of diversion or manner of use will in any substantial way invade or impair the rights of other appropriators, the State Engineer shall refuse such appropriation, endorse his refusal upon the application, make a record of his refusal and endorsement in his office, and return the application so endorsed to the applicant, who shall not prosecute the work under his application so long as such refusal shall be in force, under penalty of being deemed guilty of and punished for a misdemeanor. If there is unappropriated water in the source of supply named, and the appropriation is not detrimental to the public welfare, or the proposed change of place of diversion and manner of use will not invade or impair the rights of other appropriators, the State Engineer shall approve the application, and set a date prior to which work of diversion and appropriation must be begun, and a date prior to which such work must be completed, endorse such approval upon the application, make a record of such approval and endorsement in his office, and return the application so endorsed to the applicant, who shall, on receipt thereof, be authorized to take such measure as may be necessary to perfect such appropriation; provided, however, that the State Engineer may approve an application for a less amount of water than that named in the application. Any person changing his place of diversion or manner of use, as specified in this Act, shall not thereby lose any priority of right upon the stream he may have heretofore acquired. Any person, association or corporation who shall receive a permit to appropriate any of the public waters of this State, under the provisions of this Act, shall file with the State Engineer, within thirty days after the time required by such permit for the commencement of work thereunder, an affidavit stating the time when, the place where, and the amount of such work which has been done under said permit. If such affidavit shall not be so filed, the State Engineer shall, unless good cause for extension of time within which to file such affidavit be shown, cancel said permit. *Stats. 1909, p. 34.*

SEC. 26A. It is hereby made the duty of the State Engineer to charge, and he shall charge, for all services rendered under the provisions of this Act, the following fees:

1. For filing application for permit, twenty-five dollars (\$25), which shall include the expense of publication and the issuance of such permit, if the same shall issue, and such expense of publication is hereby fixed at the sum of ten dollars (\$10), which sum shall be paid on the certificate of the State Engineer, approved by the State Board of Examiners, and the State Comptroller shall draw his warrant on the State Treasurer for the payment of such expense of publication.
2. For filing proof of beneficial use, two dollars, which shall include certificate thereof, if the same shall issue.
3. For filing each transfer, agreement, assignment, waiver, release, relinquishment, deed, affidavit (other than affidavit of proof of appropriation) or other paper, one dollar (\$1).
4. For copying papers on file or of record in his office, ten cents (10c) per folio, and for each certificate under seal, fifty cents (50c).

All fees collected under the provisions of this Act by the State Engineer shall be paid by him into the State Treasury at least once in each month, and the same shall become a part of the General Fund; and at the time of such payment the State Engineer shall deliver to the State Treasurer an itemized account, duly certified by him, showing the names of the persons by whom such fees are paid, and the purposes for which such payments were made. *Stats. 1909, p. 35.*

SEC. 28. Upon the approval of an application in whole or in part, the applicant shall send to the State Engineer within six months thereafter a map on a scale of not less than two inches to the mile, showing the location of the works necessary to perfect the appropriation, the source of appropriation, and if for irrigation, the land upon which the water is to be applied, which map shall be filed in his office. *Stats. 1907, p. 37.*

SEC. 30. Any person interfering with, obstructing or resisting the State Engineer, Assistant Engineer or any Water Commissioner, in the performance of his duty or duties as prescribed by this Act, or by the rules or regulations adopted by the Board of Irrigation, shall be deemed guilty of a misdemeanor. *Stats. 1907, p. 37.*

SEC. 31. Any act which is made a misdemeanor by this statute shall be punishable by a fine not exceeding five hundred dollars (\$500), or by imprisonment in the county jail not more than three months, or by both such fine and imprisonment in the discretion of the court. *Stats. 1907, p. 37.*

II. Dimensions of works:

(a) Height of dam, _____ feet; length of dam at top, _____ feet; length of dam at bottom, _____ feet; material used in construction (wood, earth, stone or concrete) _____

(b) Capacity of reservoir _____ acre-feet.

(c) Size of headgate—width, _____ feet; height, _____ feet.

(d) Ditch (flume or pipe)—width at bottom, _____ feet width at water line, _____ feet; depth of water, _____ feet. Average grade per mile is _____ feet. Length of ditch is _____ miles, and crosses the following quarter sections: _____

to _____ which is the point of intended use.

APPROVAL OF STATE ENGINEER

The number of this permit is _____.

Date of receipt of first application _____ 190 _____.

Return to applicant for correction _____ 190 _____.

Corrected application received _____ 190 _____.

Last notice published May-1 1909 FILED MAY 3 1909

Recorded in Book _____, page _____.

Approved, _____ 190 _____.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Nevada, and hereby grant the same, subject to the following limitations and conditions:

The amount of water to be appropriated not more than _____ cubic feet per second.

The construction of the within described works to be commenced not later than _____

One-fifth of the work above specified to be completed on or before _____

The whole of said work to be completed on or before _____

The time for the proof of beneficial use of water appropriated in accordance herewith, to extend to _____

Witness my hand this _____ day of _____, 190 _____

State Engineer.

REMARKS

This space not to be written in by applicant.

Protested. April-29-09 by L. E. Campbell through his attys. Thompson-Morehouse & Thompson. Goldfield.

See Commission de...