SEE CORRECTED CERTIFICATE

ASSIGNED

AMENDED

APPLICATION FOR PERMIT Serial No. 2145

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL 12 1911
Returned to applicant for correction JUL 25 1911
Corrected application filed _____

The undersigned Luther Butler
Name of applicant.
of Lamoille, County of Elko,
State of Nevada, hereby makes 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.) _____

1. The source of the proposed appropriation is Waste water on W½ of Sec. 26, Tp. 33 North Range 57 East. Sometimes called Stoffer Creek.
Name of river, lake, or other source.

2. The amount of water applied for is Three second-feet.
One second-foot equals 40 miners' inches.

3. The water to be used for Irrigation and domestic purposes
Irrigation, power, mining, manufacturing, domestic, or other use.

4. The water is to be diverted from its source at the following point: SW¼ of NW¼ of Sec. 26 (a) Tp. 33 N.R. 57 E., M.D.B & M.
Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land it should be so stated.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is 320

(b) Description of land to be irrigated S½ of SE¼ of Sec. 20; N½ of NW¼ Sec. 28; In N½ of Sec. 29 Tp. 33 N.R. 57 E., M.D. B & M.
Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Irrigation will begin about May and end about July, of each year.
Month. Month.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is _____ horsepower.

(e) Works to be located _____
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.

(f) Point of return of water to stream In Section 29 and Sec. 30 Tp. 33 N.R. 57 E., M.D. B & M.
Describe in same manner as point of diversion.

(g) Remarks Taking water across by proposed route; shortens route and saves seepage.

SEE CORRECTED CERTIFICATE

DESCRIPTION OF PROPOSED WORKS

Ditch taken from what is sometimes called Stoffer Creek.

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works $200.00

6. Estimated time required to construct works 3 weeks

7. Remarks This ditch saves seepage and shortens route. I have used this water for fifteen years.

For use of applicant.

LUTHER BUTLER, Applicant.

By

Compared R. A. McKay

This sheet inspected

, Engineer.

PROTESTED OCT 23 1911 by Edmund Helth

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 granted with the specific understanding that the grant is for a change in the point of diversion for such portion of the lands as may eventually be awarded a vested right in the pending proceedings of the adjudication of the rights in and to the waters of the Humboldt River and its tributaries; that the additional water over and above such award herein granted, shall be limited to flood water only, and that the rights of Edmund Helth at all times be recognized and sufficient water allowed to pass to take care of such part of his lands as are entitled to a prior right, both as to the grant concerning the change in the point of diversion and the additional grant for flood water.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed Three (3) cubic feet per second, or such part thereof which is required to irrigate the portions of the above described land not entitled to a vested right.

Actual construction work shall begin on or before May 23, 1915.

Proof of commencement of work shall be filed before June 23, 1915.

Work must be prosecuted with reasonable diligence and be completed on or before June 23, 1915.

Application of water to beneficial use shall be made on or before November 23, 1920.

Proof of the application of water to beneficial use must be filed with the State Engineer on or before December 23, 1920.

WITNESS MY HAND AND SEAL this 23rd day of February, 1915.

W. M. Kearney

State Engineer.

Map filed Oct. 16-1911

Proof of labor filed JUN 22 1915

Cultural Map Filed Feb. 24, 1925.

Proof of beneficial use filed March 11, 1925

Certificate No. 1116 issued April 3rd 1925 for 1.2765 c. f. s. of water

Recorded ..... Bk. ..... Page .....

CORRECTED CERTIFICATE ISSUED 12-03-2001