APPLICATION FOR PERMIT **Serial No. 6390**

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JAN 31 1921
Returned to applicant for correction _____
Corrected application filed _____

The undersigned Mattio Capella (Name of applicant.) of Winnemucca, County of Humboldt, State of Nevada, hereby make s 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 Baxter Creek (Name of stream, lake, or other source.)

2. The amount of water applied for is .58 second-feet. (One second-foot equals 40 miners' inches.)

3. The water to be used for irrigation, domestic and stock (Irrigation, power, mining, manufacturing, domestic, or other use.)

4. The water is to be diverted from its source at the following point: SW¼NW¼ Section 4, T.41 N., R.28 E., M.D.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 58

(b) Description of land to be irrigated SW¼SW¼ Section 4, N½NW¼ Section 9, T.41 N., R.28 E., M.D.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 March (Month.) and end about September (Month.), of each year.

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 _____
(Describe in same manner as point of diversion.)

(g) Remarks _____

DESCRIPTION OF PROPOSED WORKS

Diverting dam and ditch

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 $500.00

6. Estimated time required to construct works 5 years

7. Remarks

For use of applicant.

Mattio Capella, Applicant.

By H.H.Sheldon

Compared F.H.Jones.

This sheet inspected

, Engineer.

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 all prior rights on the stream system of which this source may be tributary and in conjunction with permit No. 6389, owing to the fact that portions of the same forty acre tracts are proposed to be irrigated under each permit. It is understood that, at the time of filing proofs of beneficial use under these permits, said proofs and cultural maps will show a segregation of the land irrigated from Road Canon and from Baxter Creek, so that certificates can be issued under each permit setting forth the land to which the waters of each source are appurtenant. A substantial headgate and weir must be installed and maintained at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water herein granted at any and all times. It is distinctly understood that the applicant agrees to the terms herein contained.

Proof of completion of work shall be filed before July 9th, 1925. Application of water to beneficial use shall be made on or before September 9th, 1926 Proof of the application of water to beneficial use must be filed with State Engineer on or before October 9th, 1926.

Map filed 1/31/21

Cancl. 1/24/26

WITNESS MY HAND AND SEAL this 9th day of January, 1923.

Robert A. Allen

State Engineer.

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This sheet inspected

, Engineer.

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:

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.58 cubic feet per second.

Actual construction work shall begin on or before June 9th, 1923

Proof of commencement of work shall be filed before July 9th, 1923

Work must be prosecuted with reasonable diligence and be completed on or before June 9th, 1925.

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WITNESS MY HAND AND SEAL this 9th day of January, 1923.

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Rec'd 1/24/26

Robert A. Allen

State Engineer.