APPLICATION FOR PERMIT Serial No. 7068

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office MAR 28 1924
Returned to applicant for correction
Corrected application filed

The undersigned Kearns Corporation (Name of applicant) of North Fork, County of Elko, State of Nevada, hereby make 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.) Incorporated Dec. 14, 1922, Deleware.

1. The source of the proposed appropriation is Penrod Creek (Name of stream, lake, or other source)

2. The amount of water applied for is 1.60 (One second-foot equals 40 miners' inches) second-feet.

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 Section 33, T. 44, N. R. 55 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 130.69

(b) Description of land to be irrigated SW¼ OF NW¼ OF SEC. 33, SE¼ OF NE¼ OF SEC. 32, SE¼ OF NW¼ OF SEC. 32, W½ of NW¼ of SEC. 32, NE¼ of Sec. 31, S½ of Sec. 31, SW¼ of SW¼ of Sec. 29 all in T. 44 N.R. 55 E.
(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 April 15 (Month) and end about September 30 (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

The water will diverted by means of ditches and dams

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 $1000.00

6. Estimated time required to construct works 2 years

7. Remarks Some of this land may also be irrigaged from Warm Creek in case water is short in Penrod Creek

For use of applicant

Kearns Corporation, Applicant.

By E.P. Carville, Atty.

Compared ELF MC

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 source. 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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.3 cubic feet per second.

Actual construction work shall begin on or before April 1, 1931

Proof of commencement of work shall be filed before May 1, 1931

Work must be prosecuted with reasonable diligence and be completed on or before April 1, 1933

Proof of completion of work shall be filed before May 1, 1933

Application of water to beneficial use shall be made on or before April 1, 1935. Proof of the application of water to beneficial use must be filed with State Engineer on or before May 1, 1935

WITNESS MY HAND AND SEAL this 4th day of September 1930

Proof of labor filed - 5-1-31.
Proof of completion of work filed - 5-13-33
Proof of Beneficial use filed April 5, 1935
Cultural Map Filed April 18, 1935
Certificate No. 2108 Issued May 2, 1935
Recorded May 9, 1935 Bk. 3 Page 234 Water Rights
Elko County Records

Geo W Malone
State Engineer.

By H W Keppert
Assistant State Engineer

Compared C.L. MC