

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office NOV 21 1924
 Returned to applicant for correction _____
 Corrected application filed _____

The undersigned L.D. Smith
Name of applicant
 of Steamboat, County of Washoe,
 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 Developed water by
Name of stream, lake, or other source
means of drain ditch excavation
2. The amount of water applied for is Five (5) second-feet.
One-second-foot equals 40 miners' inches
3. The water to be used for Irrigation, stock and domestic
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:

The drain ditch heads in SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 7, T. 17 N. R. 20 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.
D. B. & M. and extends northeasterly through the SE $\frac{1}{4}$ of Sec. 7, T. 17 N. R. 20 E., M. D. B. & M. and ends in said quarter section; water is collected throughout entire drain ditch.

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

- (a) Number of acres to be irrigated is 500 acres more or less de-
 pending on amount of water developed.
- (b) Description of land to be irrigated E $\frac{1}{2}$ Sec. 7, W $\frac{1}{2}$ Sec. 8, NE $\frac{1}{4}$ Sec. 8; Section 4, all in T. 17 N., R. 20 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 March 1st and end about November 15th
Month of each year. and at other times of year when needed 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 not to be returned.
Describe in same manner as point of diversion.

(g) Remarks This filing is made only to obtain the benefit of the law in such cases made and provided if at any time it be adjudged that the State Engineer has jurisdiction over this developed water. No rights are waived hereby and all property rights are expressly reserved.

DESCRIPTION OF PROPOSED WORKS

A drain ditch 8 feet wide on top, 6 feet on bottom and 8 feet deep
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 dug through and across applicant's lands in SE 1/4 of Sec. 7,
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.
T. 17 N. R. 20 E., M. D. B. & M. Suitable bulkheads and gates to
control and use the developed water will be constructed.

5. Estimated cost of works \$1000.00

6. Estimated time required to construct works 2 years

7. Remarks

For use of applicant

E.D. Smith, Applicant.

By

Compared H M P M S

This sheet inspected

Engineer.

Null & Void 5-6-04
See Ruling # 5353

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 5 cubic feet per second.

Actual construction work shall begin on or before July 16, 1925

Proof of commencement of work shall be filed before August 16, 1925

Work must be prosecuted with reasonable diligence and be completed on or before July 16, 1927

Proof of completion of work shall be filed before August 16, 1927

Application of water to beneficial use shall be made on or before

July 16, 1929. Proof of the application of water to beneficial use must be filed with State Engineer on or before August 16, 1929

WITNESS MY HAND AND SEAL this 16th day of April, 1925.

Proof of labor filed June 13, 1925

Proof of completion of work filed June 13, 1925

Map Filed April 2, 1927

Cultural Map Filed April 10, 1930

Proof of Beneficial use filed March 17, 1929

R. H. Allen
State Engineer.

Computed A. D. M. S.

Under this application, it is proposed to use such water as may be developed by the construction of a drain ditch, upon land partially, or entirely, under cultivation and irrigated from Galena Creek. The state engineer is not unmindful of the fact that said drain ditch may alter the conditions existing prior to its construction with respect to the extent of the "return flow", in Galena Creek, in such manner as to detract from the amount of water heretofore available for use of appropriators farther down the stream. This permit is, however, issued (subject to all prior rights), so that in case there is a shortage in Galena Creek, the supply can be augmented by water which may be secured through the proposed development, and which normally would not reach the stream until long after the irrigation season, but with the provision that no rights are acquired by applicant hereunder to any portion of said "return flow" normally reaching the stream during irrigation season. This means that, in case of a controversy arising and it is shown that the development work has decreased the amount of said "return flow", the applicant will be required to release water from the drain ditch in question in sufficient quantity to make up for the amount available to the appropriators below prior to its construction. A substantial weir must be constructed near the end of the drain ditch in order to properly measure the amount of water developed thereby. The state engineer reserves the right to regulate the use of water herein granted at any and all times, particularly in such manner that the rights of the users below will not be impaired by the granting of this application.

The areas of land upon which water has been beneficially used hereunder and which already hold a water right from Galena Creek, and such areas of new land as may be reclaimed by use of water from this drain ditch must be segregated in the proof of beneficial use and on the cultural map when filed.

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