AMENDED

APPLICATION FOR PERMIT Serial No. 8123

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office MAY -5 1927
Returned to applicant for correction MAY -5 1927 MAY -9 1927
Corrected application filed MAY 16 1927

The undersigned D. McCuistion
Name of applicant
of Montello, County of Elko,
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 Shell Creek
Name of stream, lake, or other source

2. The amount of water applied for is 1 second-foot second-feet.
One-second-foot equals 40 miners' inches

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

4. The water is to be diverted from its source at the following point:
NW¼ NW¼ Sec. 30, T. 37 N., R. 70 E. MDM.
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 200 acres

(b) Description of land to be irrigated SE¼ SE¼, NE¼ SE¼, SE¼ NE¼,
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.
SW¼NE¼, NW¼ NE¼ T 37 N R 69 E M.D.B.M. of Sec. 14.

(c) Irrigation will begin about April 1st (Month) and end about July 31st (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

Dam built and water taken in ditch & pipeline 1 mile north to

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

McDonald Creek channel, thence to above described land. Ditch

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.

shall be made large enough to carry all water in flush season

5. Estimated cost of works $500.00

6. Estimated time required to construct works 1 month

7. Remarks Shell Creek is a high water proposition and amount of

For use of applicant

water depends upon snowfall in mountains

D. McCuistion, Applicant.

By

Compared J.D. - M.S.

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 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 cubic foot per second.

Actual construction work shall begin on or before March 1, 1928

Proof of commencement of work shall be filed before April 1, 1928

Work must be prosecuted with reasonable diligence and be completed on or before September 1, 1928

Proof of completion of work shall be filed before October 1, 1928

Application of water to beneficial use shall be made on or before September 1, 1930. Proof of the application of water to beneficial use must be filed with State Engineer on or before October 1, 1930

WITNESS MY HAND AND SEAL this 2nd day of September, 1927

State Engineer.

Proof of labor filed June 6, 1928.

Proof of completion of work filed Sept 30, 1928

Proof of Beneficial use filed 9-14-30

Cultural Map filed Sept 20, 1930

Certificate No. 1713 Issued August 27, 1931

Recorded Sept 25, 1931 B 3 Page 205