

AMENDED

APPLICATION FOR PERMIT

Serial No. 8881

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR 25 1929
Returned to applicant for correction NOV 22 1929
Corrected application filed DEC 13 1929

The undersigned Pio Esain and Daniel Esparza

Name of applicant

of Winnemucca, County of Humboldt, 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.)

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

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

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

4. The water is to be diverted from its source at the following point:
NE 1/4 SW 1/4 Sec. 30, T. 41 N; R. 38 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 40.2 acres

(b) Description of land to be irrigated NE 1/4 SW 1/4, Lots 3 and 4, Sec. 30, Lot 1, Sec. 31, T. 41 N; R. 38 E., SE 1/4 SE 1/4 Sec. 25, NE 1/4 NE 1/4 Sec. 36, T. 41 N; R. 37 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) Use will begin about March 15 and end about Sept. 15, of each year.
Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, 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) State number and kinds of animals to be watered

(h) Use will begin about and end about, of each year.
Month Month

(i) Remarks

DESCRIPTION OF PROPOSED WORKS

Dam and diverting 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 all constructed
- 6. Estimated time required to construct works completed
- 7. Remarks This application is made for the purpose of obtaining a
For use of applicant
water right for lands irrigated since 1911 but which has not been
allowed under adjudication. This water to be used when water does
not reach the lands of Simonich below and which would to to waste
unless used by us.

Pio Esain and Daniel Esparza, Applicant.

By H. H. Sheldon

Compared _____

This sheet inspected _____

_____, Engineer.

6256 20513

PROTESTED JANUARY 14, 1930--by--GERHARD MILLER SR.--WILLOW PT/VIA WINNEMUCCA,
PROTESTED JANUARY 21, 1930--by--MERWYN H. BROWN, for J. C. CHARTERS --and--
EMERICK SIMONICH, --WINNEMUCCA, NEVADA ENGINEER--20531-----

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 existing rights on the source.

A substantial headgate and measuring device must be installed and maintained to
facilitate the measurement and control of water. The State retains 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 0.40
cubic feet per second.

Actual construction work shall begin on or before October 27, 1956

Proof of commencement of work shall be filed before November 27, 1956

Work must be prosecuted with reasonable diligence and be completed on or
before October 27, 1957

Proof of completion of work shall be filed before November 27, 1957

Application of water to beneficial use shall be made on or before
October 27, 1958

Proof of the application of water to beneficial
use must be filed with State Engineer on or before November 27, 1958

Map Filed Nov 6, 1929

Proof of commencement of work filed NOV 23 1956 WITNESS MY HAND AND SEAL this 27th day

Proof of Completion of work filed NOV 23 1956

of April 1956

ROOF OF BENEFICIAL USE FILED DEC 29 1958

CULTURAL MAP FILED DEC 29 1958

CERTIFICATE No. 4991 ISSUED 2/19/60 for a 300' long

RECORDED 3/13/60 BK 13 PAGE 77

HUGH A. SHAMBERGER
State Engineer.

By Edmund Muth
EDMUND MUTH
Assistant State Engineer

Humboldt COUNTY RECORDER