APPLICATION FOR PERMIT Serial No. 8982

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL -6 1929
Returned to applicant for correction
Corrected application filed

The undersigned Martin Elorga
Name of applicant
of Battle Mountain, County of Lander,
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 Road Side Springs
Name of stream, lake, or other source

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

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

4. The water is to be diverted from its source at the following point:
Whence to ¼ Cor. N. Bdy. Sec. 5, T. 28 N; R. 45 E., M.D.M.
Describe as being within a 10-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.
bears N. 56° 40' W., 667 ft.

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

(a) Number of acres to be irrigated is

(b) Description of land to be irrigated
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 _____ (Month) and end about _____ (Month), of each year.

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 NW¼ NE¼ Sec. 5, T. 28 N; R. 45 E.
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 NW¼ NE¼ Sec. 5
Describe in same manner as point of diversion.
T. 28 N; R. 45 E., M.D.M.

(g) State number and kinds of animals to be watered from 5,000 to 10,000 sheep and 20 horses

(h) Use will begin about Jan. 1st (Month) and end about Dec. 31st (Month) of each year.

(i) Remarks

DESCRIPTION OF PROPOSED WORKS

4x4x4 ft. wood Box at spring thence thru 12 ft of 4 in. pipe

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

to metal troughs 3' on top 1' on Bot. and 20' long

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.

Trough to be placed approx. 20 ft. S.W. of Spring

5. Estimated cost of works $350.00

6. Estimated time required to construct works two years

7. Remarks

For use of applicant

Martin Elorga, Applicant.

By

Compared M.F.C.T.

This sheet inspected

INFORMAL PROTEST --BY--CHILDRESS BROS., PLACED IN FILE SEPT. 26, 1929

PROTESTED:--

MRS. E. SCHWIN, --BATTLE MOUNTAIN, NEVADA. --PROTEST, --# 20152.

FILIPPINI RANCHING CO., % H. U. CASTLE, ATTY. AT LAW, ELKO, NEVADA. # 20155

PROTESTED AUGUST 20, 1929 by--FRANK CHILDRESS, BATTLE MTN, NEV. 20180.

PROTESTED AUGUST 20, 1929-by-W. T. JENKINS CO., % DUANE BUSH-SECY. LE20185.

PROTESTED 9-11-29 by CENTRAL PACIFIC RAILWAY CO. and CENTRAL PACIFIC LAND CO % BROWN & BELFORD, ATTYS. AT LAW, RENO. 20225

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, ~~subject to the following limitations and~~ conditions:

DENIAL

on the grounds that the waters of these sources are fully appropriated and further that the granting of these applications would contravene the policy adopted by the 1925 Stockwatering Law.

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

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

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

Map Filed July 8, 1929

WITNESS MY HAND AND SEAL this 20th day of December 1935.

Alfred Merritt Smith

State Engineer.