

AMENDED
APPLICATION FOR PERMIT

Serial No. 9053

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office SEP 14 1929
Returned to applicant for correction APR 4 1930
Corrected application filed JUN -3 1930

The undersigned Chas E. J. H. and L. S. Day
Name of applicant
of Wellington, County of Lyon,
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 Sulphur Springs Creek
Name of stream, lake, or other source
and Tributaries, including both waters of Sulphur Springs and flood
waters.
2. The amount of water applied for is one-half second-feet.
One-second-foot equals 40 miners' inches
3. The water to be used for Stockwatering 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:
At a point approximately in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 14, T. 9 N; R. 24 E.,
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.
unsurveyed, which bears N. 57° 57' W., 14,394.50 ft. to the Southwest
Corner Section 4, T. 9 N; R. 24 E.

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 _____ and end about _____, 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 in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 14, T. 9 N;
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.
R. 24 E., unsurveyed.
- (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 10,000 sheep.

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

The waters of this creek have been used above the point of
(i) Remarks diversion described herein by the applicants and their
predecessors for irrigation for many years, also for watering stock at the
above named point of diversion where a reservoir has been constructed and
in use for many years. Applicants claim a vested right by virtue of such
use, which right is not waived by the filing of this application. This
means is taken to perfect a record right to the use of said water, there
being no provision of law at the present time for the determination of
vested stockwatering rights by the State Engineer.

DESCRIPTION OF PROPOSED WORKS

Water is diverted from channel to Sulphur Spring Creek by means of a 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 small dam and conveyed through a ditch about 3/8 of a mile in length 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. to a reservoir, which has been made by building a dam about 200 feet long and 3 feet high.

- 5. Estimated cost of works Four (\$400.00) Hundred Dollars.
6. Estimated time required to construct works Works already completed.
7. Remarks

For use of applicant

Chas. E., J.H. and L. S. Day, Applicant.

By Harvey M. Payne

Compared ME-C.T.

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. 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 106 cubic feet per second. or sufficient to water 10,000 head of sheep.

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, 1932

Proof of completion of work shall be filed before May 1, 1932

Application of water to beneficial use shall be made on or before April 1, 1933. Proof of the application of water to beneficial

use must be filed with State Engineer on or before May 1, 1933

Map Filed June 3, 1930

Proof of labor filed - 11-4-30

Proof of completion of work filed - 11-4-30

Proof of Beneficial use filed - 5-1-33

WITNESS MY HAND AND SEAL this 3rd day of November, 1930.

Certificate No. 1964 Issued May 16, 1933

Recorded May 18, 1933 BFN Page 519

County Records

State Engineer.

By: Assistant State Engineer.