AMENDED

APPLICATION FOR PERMIT

Serial No. 9884

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUL 29 1935
Returned to applicant for correction OCT 11 1935
Corrected application filed DEC 17 1935

The undersigned C. W. Benton
Name of applicant
of Goldfield, County of Esmeralda,
State of Nevada, hereby makes 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 UNDERGROUND flow of
Name of stream, lake, or other source
Tule Canyon

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 mining and milling
Irrigation, power, mining, manufacturing, domestic, or other use.

4. The water is to be diverted from its source at the following point: the SW¼ of the NW¼ Sec. 3, T. 7 S., R. 40 E., MDM., being S. 4° 35' E. 2000' from NW Cor. of said Sec. 3.
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

(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 in SW¼ NW¼ Sec. 3, T. 7 S., R. 40 E., MDM.,
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.
bearing S. 60° 30' E., 600' from point of diversion.

(f) Point of return of water to stream Same as point of diversion being
Describe in same manner as point of diversion.
in SW¼ NW¼ Sec. 3, T. 7 S., R. 40 E., MDM.

(g) State number and kinds of animals to be watered

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

(i) Remarks

DESCRIPTION OF PROPOSED WORKS

By an open cut to bed rock, direct from cut by 4" iron 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

600' long to place of use.

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 $250.00

6. Estimated time required to construct works one year

7. Remarks

For use of applicant

C. W. Benton, Applicant.

By Ed. S. Giles, Agt. for Applicant

Ed. S. Giles

Compared

This sheet inspected

, Engineer.

Protested January 28, 1936 by P. M. Smith, Goldfield, Nevada.

Protested Feb. 1, 1936 by Los Angeles Rock & Gravel Corp.

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. It is understood that the one (1) cubic foot of water per second herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. It is understood that accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. 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 one (1) cubic feet per second.

Actual construction work shall begin on or before July 1, 1937

Proof of commencement of work shall be filed before August 1, 1937

Work must be prosecuted with reasonable diligence and be completed on or before July 1, 1939

Proof of completion of work shall be filed before August 1, 1939

Application of water to beneficial use shall be made on or before July 1, 1940. Proof of the application of water to beneficial use must be filed with State Engineer on or before August 1, 1940

Map filed Dec. 16 1935

Cancelled OCT 21 1940 because of failure of applicant to comply with the provisions of permit

State Engineer

By R.M.G.

WITNESS MY HAND AND SEAL this 16th day of December, 1936.

State Engineer.

Compared R.M.G. C.T.