AMENDED

APPLICATION FOR PERMIT

Serial No. 9904

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT 14 1935
Returned to applicant for correction DEC 16 1935
Corrected application filed FEB 14 1936

The undersigned Comstock Gold Mines, Inc. (Name of applicant) of Reno, County of Washoe, 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.) January 29th, 1927, Principal Office, Reno, Nevada

1. The source of the proposed appropriation is Underground waters (Name of stream, lake, or other source) through Campbell Tunnel

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

3. The water to be used for Mining, Milling and Domestic Uses (Irrigation, power, mining, manufacturing, domestic, or other use)

4. The water is to be diverted from its source at the following point: In the SW¼ SE¼ Sec.34 T.17N.R.20E.at a point which bears S.65° 30' W.1537.81' from Cor.No.1 of the Bargo Patented Lode Mining Claim, or N.82° 38' 30" E. 946.11' from the ¼ Cor.S.Boundary Sec. 34, T. 17 N. R. 20 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.)

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 July 1 (Month) and end about July 1 (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 Ten (10) horsepower.

(e) Works to be located SW¼ SE¼ Sec.34,T.17N.R.20E and W½ NE¼ Sec. 3, T.16N.R.20E. Washoe County, Nevada.
(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 Such surplus water as there may be to be returned to Main Canyon in the SW¼ NE¼ Sec.3,T.16N.R.20E. in Washoe County Nevada.
(Describe in same manner as point of diversion.)

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

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

(i) Remarks Applicant claims the water herein referred to as percolating waters, the course and boundaries of which are incapable of determination, but flow out of the Campbell Tunnel. Said Campbell Tunnel was driven by the owner of Quien Sabe Mining Claim the portal of which is on said Quien Sabe Mining Claim. Applicant purchased said Quien Sabe Mining Claim, the owner of said claim that drove said tunnel and claimant having purchased all the right, title and interest of said Quien Sabe Mining Claim and the water that flows or may flow therefrom. Applicant does not relinquish or abandon its said claim, and in addition thereto said applicant claims vested rights to the use of said water from Campbell Tunnel which rights are not waived by the filing of this application.

DESCRIPTION OF PROPOSED WORKS

Water is now and has been for sometime diverted by pipes and stored in tanks and reservoirs

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

and it is intended to so continue, and the location of said reservoir and tanks will be sit-

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.

uated in the SW¼ SE¼ of Sec.34,T.17N.R.20E and NW¼ NE¼ Sec.3,T.16N.R.20E in Washoe County, Nevada. In addition thereto settling and tailing ponds may be built and a ditch constructed to convey any surplus water to the channel of the Main Canyon.

5. Estimated cost of works $4,000

6. Estimated time required to construct works Most work completed, but one year for additional work.

7. Remarks Water has been used continuously from the above source since the driving of the Campbell Tunnel. Applicant has purchased and is now the owner of all the right, title and interest in the said QUIEN SABE MINING CLAIM and the Campbell Tunnel therein, and the waters flowing therefrom have been continuously, uninterruptedly and exclusively used since said tunnel was driven.

For use of applicant

Comstock Gold Mines, Inc., Walter S. Thompson, Receiver of Comstock Gold Mines, Inc., Applicant.

By Harvey M. Payne

Compared EH-CT

This sheet inspected

Protested April 24, 1936 by Southern Pacific Land Co. Engineer.

Protested April 3, 1936 by Roy A. Judd.

DENIAL OF STATE ENGINEER

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:~~ for the reason that registered notice could not be delivered indicating that applicant has apparently moved away and is no longer interested in application.

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 - Feb. 19, 1936

WITNESS MY HAND AND SEAL this 6th day of December, 1946

Alfred Merrill Smith

State Engineer.