APPLICATION FOR PERMIT — Serial No. 9954

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office MAR -2 1936
Returned to applicant for correction
Corrected application filed

The undersigned Frank McGregor (Name of applicant) of Ogden, County of Weaver, State of Utah, 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.)

1. The source of the proposed appropriation is Big Ben Creek (Name of stream, lake, or other source)

2. The amount of water applied for is 500 (One-second-foot equals 40 miners' inches) acre ~~second~~-feet.

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

4. The water is to be diverted from its source at the following point:
SE¼ NE¼ Sec. 30, T. 45 N., R. 56 E., M.D.M., at 1224 feet N. 77° 36' W.,
(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.)
from the East ¼ corner of said Section

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 Dam at point of diversion, reservoir in NW¼ of Sec. 36, T. 45 N., R. 55 E., M.D.M., use on parts of Secs. 7,18, T. 44 N., R. 56 E., and of Secs. 1,2,12,13,14,23,24,25,26,27,28,32,33, T. 44 N., R. 55 E., M.D.M.
(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 along Penrod and Gold Creeks (Describe in same manner as point of diversion.) below last point of use, which will vary as ground is worked

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

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

(i) Remarks:

DESCRIPTION OF PROPOSED WORKS

Water is to be diverted by means of a dam, conducted through ditch to reservoir and thence through ditches and/or draws to the placer ground to be worked.

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 $1,000.00

6. Estimated time required to construct works 12 months

7. Remarks Works are constructed but need repair.

For use of applicant

Frank McGregor, Applicant.
2912 Adam Avenue
Ogden, Utah

By

Compared EH-CT

This sheet inspected

, Engineer.

Certificate No. 2753 Issued December 20, 1943 for 500 A.F. for Mining Use
Recorded December 24, 1943, Bk. 3 Page 9 303-304
Elko County Records

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 to appropriate and store any surplus or unappropriated waters of Big Ben Creek and Tributaries is granted subject to all vested rights and all prior rights for storage on the source and particularly subject to that stipulation appearing on Page 13 of the Transcript of Proceedings of a hearing on March 31, 1936, at Elko, Nevada, on applications Nos. 9742, 9796 and 9797. 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 500 ~~cubic feet per second.~~ acre feet.

Actual construction work shall begin on or before November 1, 1936

Proof of commencement of work shall be filed before December 1, 1936

Work must be prosecuted with reasonable diligence and be completed on or before November 1, 1938

Proof of completion of work shall be filed before December 1, 1938

Application of water to beneficial use shall be made on or before November 1, 1939. Proof of the application of water to beneficial use must be filed with State Engineer on or before December 1, 1939

WITNESS MY HAND AND SEAL this 12th day of June, 1936

Alfred Merritt Smith
State Engineer.

Map filed July 12, 1935 under 9796
Proof of commencement of work filed JAN 22 1937
Proof of completion of work filed DEC 1 1938 JAN 22 1943
Proof of completion of work filed JAN 22 1943
Proof of beneficial use filed JAN 22 1943
Map filed September 28, 1943

Compared