AMENDED

APPLICATION FOR PERMIT

Serial No. 10034

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT -8 1936
Returned to applicant for correction APR 19 1937
Corrected application filed MAY 27 1937

The undersigned D. H. Livingston (Name of applicant)

of Moapa, County of Clark,

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 Muddy River (Name of stream, lake, or other source)

2. The amount of water applied for is 50 second-feet. (One-second-foot equals 40 miners' inches)

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

4. The water is to be diverted from its source at the following point: SW¼ of SW¼ Sec. 4, T. 15S., R. 66E., M.D.M., whence the S.W. Corner (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.) Section 4 bears S. 68° 13' West 426 feet.

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 100 horsepower.

(e) Works to be located SE¼ of SW¼ Sec. 4, T. 15 S., R. 66 E. whence the (Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.) South ¼ Corner Sec. 4 bears S. 30° 49' E. 1340 feet.

(f) Point of return of water to stream NE¼ of SE¼ Sec. 4, T. 15 S. (Describe in same manner as point of diversion.) R. 66 E. whence the E.¼ Corner Sec. 4 bears N.10°42' E. 1321.7 feet.

(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 Several years ago I changed the course of the Muddy River through my ranch land, near Moapa, by so doing created a power site with a maximum fall of 22 feet which I want to use at this time for generating power to supply the local Community. I now propose to make an additional change of course of channel in order to obtain required drainage of heavy alkali soil on my land in the S½ of SE¼ Sec. 4 so that an orchard may be successfully planted.

DESCRIPTION OF PROPOSED WORKS

Installation of a penstock & turbine wheel and generator--by erection of pipe down in Muddy River and Canal to Convey water to penstock.

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 $8500.00

6. Estimated time required to construct works two years

7. Remarks

For use of applicant

D. H. Livingston, Applicant.

By D. H. Livingston

Compared RMG-C.T.

This sheet inspected

, Engineer.

DENIAL OF STATE ENGINEER

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

on the grounds that after due notice by registered mail the applicant failed to submit the statutory fee for the issuance and recordation of a permit.

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 May 27, 1937

WITNESS MY HAND AND SEAL this 4th day of April, 1942

Alfred Merritt Smith

State Engineer.