ASSIGNED

APPLICATION FOR PERMIT Serial No. 10075

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office FEB - 5 1937
Returned to applicant for correction
Corrected application filed

The undersigned JAMES C. CUMMINS
Name of applicant
of MONTELLO, County of ELKO,
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.)

100

1. The source of the proposed appropriation is
Name of stream, lake, or other source
PILOT CREEK

2. The amount of water applied for is one and six tenths (1.6) second-feet.
One second-foot equals 40 miners' inches

3. The water to be used for irrigation 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:
Near the northeast corner of the NW¼ of Lot 2 of Sec. 4, Twp. 35 N.
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.
R. 69 E. M.D.B.&M.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is One Hundred Sixty (160)

(b) Description of land to be irrigated NW¼ NW¼, S½ NW¼ and NE¼ SW¼
Describe by legal subdivision, or if on unsurveyed land it should
of Sec. 10, Twp. 35 N. Rg. 69 E. M.D.B.&M.
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 April (Month) and end about October (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
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
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

DESCRIPTION OF PROPOSED WORKS

Water is to be diverted from the stream by means of a small diversion dam

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

After diversion the water is to be conducted to the land through a ditch

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.

about two miles in length, having a bottom width of four feet and a slope of two and one-half feet per mile.

5. Estimated cost of works Five Hundred Dollars ($500.00)

6. Estimated time required to construct works Six months

7. Remarks In support of this filing reference is made to the map filed

For use of applicant

under Permit No. 4648 as covering the same lands to be irrigated.

James C. Cummins, Applicant.

By

Compared RMG-CT

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. A substantial weir must be installed and maintained to facilitate the measurement of water. 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 1.6 cubic feet per second.

Actual construction work shall begin on or before January 1, 1938

Proof of commencement of work shall be filed before February 1, 1938

Work must be prosecuted with reasonable diligence and be completed on or before January 1, 1941

Proof of completion of work shall be filed before February 1, 1941

Application of water to beneficial use shall be made on or before January 1, 1942. Proof of the application of water to beneficial use must be filed with State Engineer on or before February 1, 1942

Map Filed April 17, 1937

WITNESS MY HAND AND SEAL this 8th day of July, 1937

Proof of commencement of work filed Sept. 9-37

Proof of completion of work filed Sept. 9-37

Proof of application filed Sept. 9-37

Alfred Merritt Smith

State Engineer.

Certificate No. 2246 Issued Sept. 11 1937

Recorded Sept. 17, 1937 Bk. 2, Water Rights Page 963

Elko County Records