APPLICATION FOR PERMIT Serial No. 10223

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR -5 1938
Returned to applicant for correction
Corrected application filed

The undersigned Morgan Whitaker and Raymond I. Smith
Name of applicant
of Reno, County of Washoe,
State of Nevada, hereby make 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
Name of stream, lake, or other source
Underground Water

2. The amount of water applied for is 2.0 second-feet.
One second-foot equals 40 miners' inches

3. The water to be used for Placer 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:
SW¼ SW¼ Section 36, Township 21 N., Range 25 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 _____ and end about _____, of each year.
Month Month

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 Secs. 1,2,3,10,11 and 12, Township 20 N., R. 25 E.; Secs. 34, 35 and 36, T. 21 N., R. 25 E.
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 Jan. 1 and end about Dec. 31, of each year.
Month Month

(i) Remarks

DESCRIPTION OF PROPOSED WORKS

Placer mining to be carried on by means of hydraulic pumps and barges.

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 $30,000.00

6. Estimated time required to construct works

7. Remarks

For use of applicant

Whitaker & Smith, Applicant.

By Raymond I. Smith

Compared RMG-C.T.

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 on the source. It is understood that the two cubic feet 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. ~~A suitable measuring device must be installed and 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 Two (2.0) cubic feet per second.

Actual construction work shall begin on or before October 3, 1939

Proof of commencement of work shall be filed before November 3, 1939

Work must be prosecuted with reasonable diligence and be completed on or before October 3, 1942

Proof of completion of work shall be filed before November 3, 1942

Application of water to beneficial use shall be made on or before October 3, 1944. Proof of the application of water to beneficial use must be filed with State Engineer on or before November 3, 1944

Map Filed JUN 27 1938

Proof of commencement of work filed MAY 4 1940

WITNESS MY HAND AND SEAL this 4th day of October, 1938

Cancelled JAN 12 1944 because of failure of applicant to comply with provisions of permit.

Alfred Merritt Smith
State Engineer.

Alfred Merritt Smith
By State Engineer

Compared RMG-C.T.