AMENDED

APPLICATION FOR PERMIT

Serial No. 10356

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR 14 1939
Returned to applicant for correction AUG 24 1939
Corrected application filed SEP 8 1939

The undersigned J. C. Horton
Name of applicant
of Mt. Montgomery, County of Mineral,
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.)

1. The source of the proposed appropriation is Willow Spring
Name of stream, lake, or other source

2. The amount of water applied for is .5 second-feet.
One second-foot equals 40 miners' inches

3. The water to be used for Mining, Milling & domestic
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. 29, T. 1 N., R. 33 E., MDM., S.38°40'W., 1921' from the
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.
NE Cor. Sec. 29, (said Sec. 29)

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 SW¼ SW¼ Sec. 21, T. 1 N., R. 33 E., MDM.,
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.
being N. 29° 50' E., 700' from SW Cor. said Sec. 21.

(f) Point of return of water to stream same as place of use.
Describe in same manner as point of diversion.

(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

DESCRIPTION OF PROPOSED WORKS

Concrete settling box to be installed at spring and water conveyed
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
through about one mile of two or two and one half inch pipe line.
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 $5000.00

6. Estimated time required to construct works 3 years

7. Remarks
For use of applicant

The Red Top Mining Company, , Applicant.
Successor in interest to J. C. Horton.
By J. C. Horton.

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 0.5 cubic foot 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. It is further understood that accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.5 cubic feet per second.

Actual construction work shall begin on or before July 1, 1940

Proof of commencement of work shall be filed before August 1, 1940

Work must be prosecuted with reasonable diligence and be completed on or before July 1, 1942

Proof of completion of work shall be filed before August 1, 1942

Application of water to beneficial use shall be made on or before July 1, 1943. Proof of the application of water to beneficial use must be filed with State Engineer on or before August 1, 1943

Map Filed SEP 8 1939

Proof of commencement of work filed Aug. 1, 1940.

WITNESS MY HAND AND SEAL this 27th day of December, 1939

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

State Engineer.

Alfred Merritt Smith
State Engineer.

Compared RMG CT