AMENDED

APPLICATION FOR PERMIT

Serial No. 10377

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JUN 5 1939
Returned to applicant for correction
Corrected application filed AUG 1 1939

The undersigned Harry Gething, M. T. Keaton and C. M. Reynolds (Name of applicant) of Denio, County of Humboldt, 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) Evening Star Spring in Cherry Gulch

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

3. The water to be used for Mining 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: NE¼ SW¼ Section 19, T. 45 N., R. 29 E., M.D.B.&M., or at a point (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 which the N. ¼ corner of Section 23, T. 45 N., R. 28 E., bears N. 68° 45' W., 10,590 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 horsepower.

(e) Place of Use ~~Works are located~~ in NE¼ SW¼ Section 19, T. 45 N., R. 29 E. (Give 40-acre subdivision on which works will be located, or locate by course and distance to a section-corner.) M.D.B.&m., unsurveyed.

(f) Point of return of water to stream NE¼ SW¼ Section 19, T. 45 N. (Describe in same manner as point of diversion.) R. 29 E., M.D.B.&M., unsurveyed.

(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 Applicants have already built a 10 ton ball mill and have been using the water for about two months.

DESCRIPTION OF PROPOSED WORKS

Small earth and rock dam at point of diversion, and a three inch

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

iron pipe about 300 feet to mill.

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 $300.00

6. Estimated time required to construct works two years.

7. Remarks

For use of applicant

Harry Gething, M. T. Keaton and C. M. Reynolds, Applicant.

By M. T. Keaton

Compared RMG-C.T.
Ruling 1498, dtd. 8-5-69

This sheet inspected

, Engineer.

Protested August 29, 1939 by Curley Lucl Gold Corp.
Protested Sept. 15, 1939 by Alex Duferrena.

DENIAL OF STATE ENGINEER

Protest of Curley Luck Gold Corp withdrawn Nov. 5, 1943

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

on the grounds that the applicants or his successors in interest failed to submit the information requested and the approval of this application without the information requested, would be detrimental to the public welfare.

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 JUL 20 1939

WITNESS MY HAND AND SEAL this day of ,

State Engineer.