APPLICATION FOR PERMIT Serial No. 10437

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office NOV 8 1939
Returned to applicant for correction
Corrected application filed

The undersigned R. A. Yelland (Name of applicant)

of McGill, County of White Pine,

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 Nigger Creek (Name of stream, lake, or other source)

2. The amount of water applied for is 1.5 second-feet. (One second-foot equals 40 miners' inches)

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

4. The water is to be diverted from its source at the following 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.)

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

(a) Number of acres to be irrigated is 66.23

(b) Description of land to be irrigated 2.25 acres in NE¼ NW¼, 4.63 acres in NW¼ NW¼, and 1.62 acres in SW¼ NW¼ Sec. 16, and 8.73 acres in NE¼ NE¼, 6.54 acres in NW¼ NE¼, 8.30 acres in NE¼ NW¼, 6.33 acres in NW¼ NW¼, 1.93 acres in SE¼ NE¼, 12.87 acres in SW¼ NE¼, and 13.43 acres in SE¼ NW¼ of Sec. 17, all in T. 16 N., R. 68 E.

(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 Apr. 1 (Month) and end about Aug. 31 (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 to be diverted by means of dams and through ditches already in place and in existence.

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 No additional works.

6. Estimated time required to construct works

7. Remarks This application is for surplus or waste waters during the run-off season between April 1st and August 31st, inclusive, in each year. The quantity shown is applicant's estimate of the quantity of such surplus or waste waters available during such season.

For use of applicant

R. A. Yelland, Applicant.

By

Compared RMG-C.T.

This sheet inspected

, Engineer.

Protested May 13, 1940 by H. T. Rogers.

DENIAL OF STATE ENGINEER

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~~ by order of the Seventh Judicial District Court reversing the ruling of the State Engineer.

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 April 10, 1912 under 01080

WITNESS MY HAND AND SEAL this 21st day of July, 1950.

Alfred Merritt Smith

State Engineer.