

APPLICATION FOR PERMIT

Serial No. 10578

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT 30 1940
Returned to applicant for correction
Corrected application filed

The undersigned E.L.Cord Name of applicant

of Dyer, County of Esmeralda, 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 a well in the NE 1/4 of NE 1/4, section 33, T 2 S., R 35 E., MDM Name of stream, lake, or other source

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

3. The water to be used for irrigation, stock watering 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: The well is situated S 47°50' E 1799.2 ft. from the north 1/4 corner, Sec. 33, T 2 S., R 35 E., MDM. Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unurveyed 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 developed will irrigate maximum quantity that water
(b) Description of land to be irrigated the maximum acerage of portions of sections 25, 26, 27, 28, 33, 34 and 35, T 2 S., R 35 E., MDM that can be placed under cultivation with water available. Describe by legal subdivision, or if on unurveyed 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 Jan. 1st and end about Dec. 31st, 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 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 and end about, of each year. Month Month

(i) Remarks the water from this well will be diverted into the present ditch system taking the water from Robertson, also known as Leidy Creek, or into a new ditch system to be designed after the topographical survey of the ranch is completed. The water from this well will be used in an intercommunicating or interlocking system with all the water from Robertson Creek and other wells, to place under cultivation the maximum acerage possible.

INSTRUCTIONS TO APPLICANTS

Application should be made out in detail on the form prescribed by the State Engineer. Applications should be typewritten or filled out with ink.

An application is not a permit to appropriate water until after its approval by the State Engineer. Upon approval (or rejection) of any application, a copy of the original application with such approval or rejection endorsed thereon, will be returned to the applicant. The terms of the permit will show on the endorsement, and be a guide for the applicant.

The following rules should be complied with in making application:

Under Question No. 1—Where the source of the water desired is from more than one stream, lake, spring or other body of water, separate applications must be made out for each source; *provided, however*, that when the numerous sources have their confluence above the point of diversion one application will serve to appropriate the water, by giving the name of the main stream at the point of diversion. The application should state the name of the stream, including its tributaries.

Under Question No. 2—The amount of water applied for should be limited to the amount that can be put to beneficial use. The Statute provides that this amount shall not exceed three acre feet per annum in districts where irrigation is carried on for the six months beginning April 15 and ending October 15 of each year; and where irrigation is carried on for a longer period each year, one-half of one acre foot per month for each additional month is the maximum quantity allowed. Therefore, there shall be allowed a continuous flow of one second foot of water for each one hundred acres of land irrigated. The amount should be stated in cubic feet per second instead of in miners' inches. (One cubic foot per second equals forty miners' inches.) (One acre foot of water is equal to 43,560 cubic feet, or the amount of water necessary to cover an acre of ground one foot deep.)

Under Question No. 3—Ordinarily only one use of water can be named in each application. If domestic purposes is included, however, two uses can be named. For instance, if the application stated "For Irrigation and Domestic Purposes" it shall be allowed; but if "Power and Irrigation" are named in one application it shall not be allowed, but the application will be returned for correction.

Under Question No. 4—The point of diversion is one of vital importance in the application, as upon the location of the point of diversion depends the question of interference with prior rights. The point of diversion must be stated as being within the forty-acre legal subdivision, or, if on unsurveyed land, it must be tied by the course and distance to the nearest corner of a legal subdivision, if such corner is within six miles. If no corner is found within six miles, the point of diversion should be tied to some definite and fixed monument or object.

Except under special conditions, there shall be accepted only one point of diversion in each application, for the reason that an entire stream could be covered by one application if more than one point of diversion were permitted to be named in each filing. In cases where the diversions, if there be more than one, are on the same forty-acre tract, and are required to economically handle the water, the application for more than one point of diversion will be considered.

Under Question (a)—The total number of acres of land should be stated with reasonable accuracy. The quantity of water allowed in the application, endorsed thereon by the State Engineer, is determined by the number of acres to be irrigated as well as the amount of unappropriated water in the stream.

Under Question (b)—There should be given a description of the land to be irrigated by legal subdivisions. In the event that the land proposed to be irrigated is unsurveyed, then give the approximate location of such land, together with the township and range wherein such land is situated.

Under Question (c)—Give the time when the use of water for irrigation purposes will begin, and also when it will end.

Under Question (d)—If the application is for power purposes, give the theoretical horsepower to be developed, and the vertical head under which the power is to be developed.

Under Question (e)—If application for power or stock watering purposes, give a description of the location of the proposed works, by legal subdivisions, or tie by course and distance to a section corner, as required in answer to Question 4 above.

Under Question (f)—Where water applied for is to be returned to the stream, give a description of the proposed point of return, as described in answer to Question 4 above.

Under Question (g)—State number and kinds of animals to be watered at place of use.

Under Question (h)—Give time when use of water for stock watering purposes will begin and when it will end.

Under Description of Proposed Works—Under description of proposed works, state by what means the water is to be diverted from the stream, whether by dams, ditches, pipe lines or other conduit. Give the size of such ditches, pipe lines, etc., and the proposed grade that each will have from the point of diversion, to enable this office to determine the capacity of each. The size of the ditch should be consistent with the amount of water applied for under Question No. 2.

If the water is to be stored in a reservoir, give its location with reference to the legal subdivision or subdivisions. If the reservoir is to be located on unsurveyed lands, the rules and regulations of the Department of the Interior should be followed precisely. Such rules and regulations are embodied in a pamphlet furnished by the Department of the Interior, called "Regulations Concerning Right of Way Over Public Lands and Reservations for Canals, Ditches, and Reservoirs," approved by the Secretary of the Interior, June 6, 1903. The maps and field notes of such reservoir should conform strictly with these regulations and a copy filed with the office of the State Engineer.

Applications for permit to store water shall conform with the above rules, except that the description of the lands to be irrigated shall not be required. If, however, the description of the lands is known and can be listed, the number of acres and location should be given.

The application shall bear the signature of the applicant, his agent or attorney.

FEEES

The following fees shall be collected by the State Engineer in advance, and shall be accounted for and paid by him into the General Fund of the State Treasury, on or before the 10th day of each month; *provided, however*, that the fees named in subdivision (c) of this list shall not apply to permits for underground waters:

(a) For examining and filing an application for permit to appropriate water, twenty dollars (\$20), which shall include the cost of publication, which publication fee is hereby fixed at twelve dollars and fifty cents (\$12.50).

(b) For examining and filing an application for permit to change the point of diversion, manner of use, or place of use, twenty-five dollars (\$25), which shall include the cost of permit should the same issue thereunder, and the cost of publication of such application.

(c) For issuing and recording a permit to appropriate water for irrigation purposes, ten cents per acre for each acre to be irrigated, up to and including one hundred acres; and five cents for each acre in excess of one hundred acres, up to and including one thousand acres; and three cents for each acre in excess of one thousand acres.

(d) For issuing and recording permit for power purposes, five cents for each theoretical horsepower to be developed; and for issuing final certificate under permit for power purposes, twenty-five cents for each theoretical horsepower to be developed up to and including one hundred horsepower; and twenty cents for each horsepower in excess of one hundred horsepower up to and including one thousand horsepower; and fifteen cents for each horsepower in excess of one thousand.

(e) For issuing and recording permit to store water, twenty-five dollars (\$25), and for issuing final certificate under permit to store water, five cents for each acre foot of water stored up to and including one thousand acre feet; and three cents for each acre foot in excess of one thousand.

(f) For issuing and recording permit to appropriate water for any other purpose, \$10 for each second foot of water applied for, or fraction thereof.

(g) For filing secondary permit under reservoir permit, \$5; for approving and recording permit under reservoir permit, \$5.

(h) For filing proof of commencement of work, \$1.

(i) For filing proof of completion of work, under any permit, \$1.

(j) For filing any protest, affidavit, or any other water right instrument or paper, \$1.

(k) For making copy of any document recorded or filed in his office, \$1 for the first hundred words, and 20 cents for each additional one hundred words or fraction thereof; where the amount exceeds \$5, then only the actual cost in excess of that amount shall be charged.

(l) For certifying to copies of documents, records or maps, \$1 for each certificate.

(m) For blue print copy of any drawing or map, 15 cents per square foot.

(n) For such other work as may be required of his office, actual cost of the work.

No instrument will be received for filing in the State Engineer's office unless the fee for recording the same, as above provided, shall accompany such instrument. In cases where no fee accompanies the instrument tendered for filing, such instrument shall be returned to the sender forthwith.

Where copies of any instrument of record in the office of the State Engineer is desired, a sufficient amount to cover the approximate cost of the same must be forwarded with the application for such copies. When such copies are prepared, any surplus over and above the statutory cost for copying such instrument or instruments shall be returned to the party requesting such copies.

Remittances should be made by draft or postal or express money order payable to the order of the State Engineer, Carson City, Nevada. Where personal checks are sent, certification by the bank upon which they are drawn is required. Foreign checks, in addition to certification, must include the exchange charge of the local bank.

The State Engineer reserves the right to hold all applications, accompanied by uncertified checks for filing fees, without filing, until collection is made on such checks.

DESCRIPTION OF PROPOSED WORKS

An electrical driven pump will lift the water to the surface, whence it will

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

be diverted directly into the ditch system, or carried in large pipes to the ditches,

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 about \$3,000.00

6. Estimated time required to construct works one year

7. Remarks this is a development proposition and if the wells already sunk do

For use of applicant

not furnish enough water, with that obtained from Robertson Creek, to place under cultivation all the good land of the ranch, additional wells will be drilled.

E.L.Cord, Applicant.

By C.A. Liddell State Water Right Surveyor

Compared

This sheet inspected

, Engineer.

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:

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

WITNESS MY HAND AND SEAL this day of

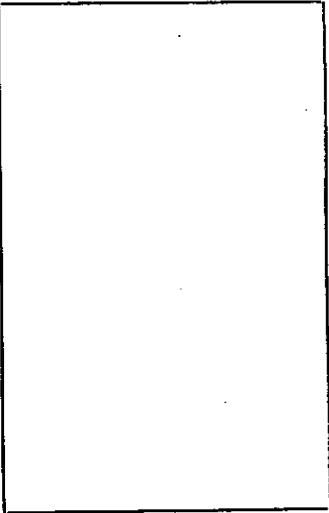
State Engineer.

No.

Application for
Permit to Appropriate Water

STATE OF NEVADA
ENGINEER'S OFFICE

Filed



Applicant

P. O. Address

OFFICE
STATE ENGINEER
OCT 30 10
RECEIVED
AND