ASSIGNED

Serial No. 10856

AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED.

Date of first receipt and filing in State Engineer's office AUG 21 1942

Returned to applicant for correction APR 21 1943

Corrected application filed JUN 20 1943

The undersigned B & B Quick Co., Bankrupt No. 475 (Name of applicant.)

of Goldfield, County of Esmeralda

State of Nevada, hereby makes application for permission to change the manner of use and place of use

of water heretofore appropriated under Certificate No. 561, issued July 28th, 1921 to J. E. Rose (State nature of right that is the basis of this application, i. e., vested, decreed or permitted right.)

1. The source of water supply is Trail Creek

2. The quantity of water desired to be changed 0.40 c.f.s. (Acre feet, second feet.)

3. The water is to be used for mining and domestic purposes

4. The water heretofore used for agricultural purposes.

5. Place of use under existing appropriation 40.6 acres, 17.9 acres in NW¼SW¼, 11.7 acres in NE¼ SW¼, 4.6 acres in SE¼ NW¼ and 6.4 acres in SW¼ NE¼, all being in Sec. 8, T.1 S., R. 34 E., MDM. (Under irrigation give number acres and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)

6. Proposed place of use under this application in the NW¼ NW¼ SEC. 6, T. 1 S., R.34E., MDM., whence the NW Cor. Sec. 6, T. 1 S., R. 34 E., MDM., bears N. 15°W., 550'. (Under irrigation give number of acres and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)

7. The water is to be diverted from its source at the following point: In the SW¼ SE¼ Sec. 2., T. 1 S., R. 33 E., MDM., whence the SE Cor. Sec. 7, T. 1 S., R. 34 E., bears S. 67°40' E., 13754.5 feet. (Describe as being within a 40-acre subdivision of public survey or by course and distance to a section corner.)

8. The existing point of diversion under the former appropriation is as follows: "At a blazed birch tree, 8" in dia." whence the SE Cor. Sec. 18, T. 1 S., R. 34 E., MDM., bears S. 31°30' E., 10 916 feet. (If point of diversion is not changed do not answer.)

9. Number and kind of animals proposed to be watered

10. Use will begin about Jan. 1st (Month) and end about Dec. 31st (Month) of each year.

11. The water has been used heretofore during the months of April, May, June, July, August, September of each year

12. Remarks

13. Description of proposed works a settling box or sump on Trail Creek, with approximately 8680' 1½" iron pipe, conducts water by gravity, to 15,000 gal. storage tank at place of use, from which a 400' distributing pipe line conveys the water to its place of use.

14. Estimated cost of works $1,500.00

15. Estimated time required to construct the works is two months

Map Filed JUN 22 1943
Compared R.M.A.-C.T.

B&B QUICK COMPANY Applicant

By Edwin S. Giles, Trustee

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 to change the point of diversion, place of use and manner of use of the waters of Trail Creek as heretofore granted under Permit No. 3154 is issued subject to the terms and conditions imposed in said Permit No. 3154 and subject to the validity of said Permit No. 3154 and Certificate No. 561 issued thereunder, and with the further understanding that the burden of title to Permit No. 3154 and Certificate No. 561 issued thereunder rests with the permittee, and with the further understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and weir must be installed at or near the new point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use and not to exceed 0.40 of a cubic foot per second.

Actual construction work shall begin on or before August 11, 1944.

Proof of commencement of work shall be filed before September 11, 1944.

Work must be prosecuted with reasonable diligence and be completed on or before August 11, 1945.

Proof of completion of work shall be filed before September 11, 1945.

Application of water to beneficial use shall be made on or before August 11, 1946.

Proof of the application of water to beneficial use must be filed with the State Engineer on or before September 11, 1946.

WITNESS MY HAND AND SEAL this 11th day of February, 1944.

Proof of commencement of work filed MAR 28 1946
Proof of Completion of work filed MAR 28 1946
PROOF OF BENEFICIAL USE FILED SEP 14 1951

Alfred Merritt Smith
State Engineer.

Certificate No. 3734 Issued Dec. 3, 1951 for 0.111 cfs
Recorded Dec. 7, 1951 Bk 5 B Page 60 Mining & DOM.
Esmeralda County Records.

Compared RMA-NN