APPLICATION FOR PERMIT Serial No. 10865

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office SEP 17 1942
Returned to applicant for correction
Corrected application filed

The undersigned Donald Benton
Name of applicant
of Tonopah, County of Nye,
State of Nevada, hereby makes 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 unnamed seep in
Name of stream, lake, or other source
Ellsworth Wash.
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 Milling Purposes.
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
in the SW¼ SW¼ Sec. 19, T. 13 N., R. 38 E., MDM., being or whence 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.
SW Cor. of said Sec. 19, bears S. 58°30' W., 1070'.

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 in the SW¼ SE¼ Sec. 19, T. 13 N., R. 38 E., MDM
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.
whence the SW Cor. said section 19, bears S.86°45'W., 3800'.

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

(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 From the SW Cor. of said Sec. 19, U.S.M.M., No. 2, bears S. 43° 15' E., 1214'.

DESCRIPTION OF PROPOSED WORKS

Directly from open cut in Ellsworth Wash, through approximately

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

2900' of 3" iron pipe, by gravity, to place of use.

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 $1500.00

6. Estimated time required to construct works one year or time of duration.

7. Remarks

For use of applicant.

Donald Benton, Applicant.

Ed. S. Giles

By Ed. S. Giles, agent

Box 666, Goldfield, Nevada.

Compared RMA-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 One (1.0) 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. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed One (1.0) cubic feet per second.

Actual construction work shall begin on or before October 9, 1943

Proof of commencement of work shall be filed before November 9, 1943

Work must be prosecuted with reasonable diligence and be completed on or before October 9, 1945

Proof of completion of work shall be filed before November 9, 1945

Application of water to beneficial use shall be made on or before October 9, 1946. Proof of the application of water to beneficial use must be filed with State Engineer on or before November 9, 1946

Map Filed JAN 19 1943

Proof of work Filed NOV 8 1943

Cancelled DEC 12 1949 because of failure to comply with provisions of permit.

State Engineer

WITNESS MY HAND AND SEAL this 9th of April, 1943

State Engineer.

Compared CT-RMA