AMENDED

APPLICATION FOR PERMIT Serial No. 10892

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office NOV 2 1942
Returned to applicant for correction APR 21 1943
Corrected application filed JUN 15 1943

The undersigned G. W. Rogers
Name of applicant
of McGill (Schellbourne Route), County of White Pine,
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 Nigger Creek
Name of stream, lake, or other source

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

3. The water to be used for irrigation 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:
SE¼ of SE¼, Section 35, Township 17 North, Range 67 East, M.D.B.& M.
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.
whence the NW. Corner of said Sec. 35 bears N. 50° 05' W., 6580 Ft.

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

(a) Number of acres to be irrigated is 200 or more

(b) Description of land to be irrigated E½ of SE¼, Section 26;
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.
N½ of NE¼ of Section 35; SE¼ of NE¼ of Section 26; Township 17 North, Range 67 East, M.D.B. & M. and the SW¼ of NE¼, Section 35, Township 17 North, Range 67 East, M.D.B. & M.

(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 Owing to the fact that this stream is of variable flow and water must be used when available, it is desired to utilize a large head of water during flood flow of the stream. It is desired also to use the water in the fall, winter and early spring to moisten the ground for winter grain and other forage crops.

DESCRIPTION OF PROPOSED WORKS

Dam 15 feet long, 3 feet wide, 5 foot base, of earth, rock, wood and lumber which

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

will divert water into 2 ditches, one on the east side of Nigger Creek 3 feet wide

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.

and 2 feet deep, 1% grade; one on the west side of Nigger Creek 2 feet wide, 1

foot deep, grade 1½%.

5. Estimated cost of works $500.00

6. Estimated time required to construct works One year

7. Remarks

For use of applicant

G. W. ROGERS, Applicant.

By W. M. Kearney
His Attorney

Compared RMA-CT cl/

This sheet inspected

, Engineer.

Protested Sept. 4, 1943 by R. A. Yelland.

DENIAL 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: [illegible] This application is hereby denied on the grounds that [illegible] granting said application would not be in the public interest.

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 JUN 16 1943

WITNESS MY HAND AND SEAL this 7th day of April 1998

R. MICHAEL TURNIPSEED, P.E., State Engineer.