AMENDED

APPLICATION FOR PERMIT Serial No. 12048

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT 14 1947
Returned to applicant for correction DEC 31 1947
Corrected application filed JAN 30 1948

The undersigned James Daniels (Name of applicant) of Goldpoint, County of Esmeralda, 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 Cottonwood Spring (Name of stream, lake, or other source)

2. The amount of water applied for is 0.5 second-feet. (One second-foot equals 40 miners' inches)

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

4. The water is to be diverted from its source at the following point: SW¼ of SW¼ of Section 33, T. 2 S., R. 38 E., M.D.B.&M. whence the NE corner of Section 20, T. 2 S., R. 39 E. bears N. 63° 30' E., 32610 feet distant (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

(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) Place of use S½ of SW¼ of Section 33, Township 2 South, Range 38 East, M.D.B.&M. (Give location of place of use by legal subdivision.)

(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 100 to 500 head of cattle which will range nearby spring from time to time.

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

(i) Remarks Applicant claims a vested right for this water by prior use and development which is not waived by this filing.

DESCRIPTION OF PROPOSED WORKS

Open cut tunnel and pipe line to troughs for cattle watering.

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 $1000.00

6. Estimated time required to construct works Two years

7. Remarks The spring is to be improved and further developed.

For use of applicant

James A. Daniels, Applicant.

By Kearney & Adams,
His Attorneys

Compared a.J.& F.N.D.

This sheet inspected

, Engineer.

Protested Apr. 6, 1948 by Nivloc Mines Inc.
Protested Apr. 10, 1948 by Shirley, Chiatovich & Humphrey.

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 existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the number of stock watered daily, which number must be stated in the proof of beneficial use when filed. The State retains 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 0.0156 cubic foot per second, or sufficient to water 500 head of cattle.

Actual construction work shall begin on or before August 24, 1954

Proof of commencement of work shall be filed before September 24, 1954

Work must be prosecuted with reasonable diligence and be completed on or before August 24, 1955

Proof of completion of work shall be filed before September 24, 1955

Application of water to beneficial use shall be made on or before August 24, 1956. Proof of the application of water to beneficial use must be filed with State Engineer on or before September 24, 1956

WITNESS MY HAND AND SEAL this 24th day of February, 1954

HUGH A. SHAMBERGER
State Engineer

By Edmund Muth
EDMUND MUTH-Assistant State Engineer

Map Filed DEC 13 1947
Proof of commencement of work filed JUN 2 1954
Proof of Completion of work filed JUN 2 1954
PROOF OF BENEFICIAL USE FILED AUG 16 1954
Certificate No. 4191 Issued FEB 7 1955 for 0.0031 cfs
Recorded 2/16/55 Bk 5-B Page 171
Esmeralda County Records

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