

AMENDED

APPLICATION FOR PERMIT

Serial No. 12411

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR 12 1948
Returned to applicant for correction MAY 4 1948
Corrected application filed MAY 21 1948

The undersigned Albert H. Agee
Name of applicant

of Contact County of Elko

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 Willow or Dry Creek
Name of stream, lake, or other source

2. The amount of water applied for is 3.00 second-feet.
One second-foot equals 40 miners' inches

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

4. The water is to be diverted from its source at the following point:

S. 45°-50' E., 8032.0 feet from the 1/4 section corner between Sections
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.
3 and 4, T. 43 N., R. 63 E., M.D.B.&M. NW 1/4 SW 1/4 Sec. 11, T. 43 N., R.
63 E.

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

(a) Number of acres to be irrigated is 367.58 more or less

(b) Description of land to be irrigated Sec. 11 NW 1/4 7.36; W 1/2 NW 1/4 30.38;
Describe by legal subdivision, or if on unsurveyed land it should
Sec. 10 E 1/2 NE 1/4 63.44; NE 1/4 NE 1/4 9.66; Sec. 3 SE 1/4 99.74, all in T. 43 N.R.
be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
63 E.: Sec. 34 SW 1/4 SW 1/4 34.25; SE 1/4 SW 1/4 21.40; Sec. 28 W 1/2 SE 1/4 64.70; E 1/2 SE 1/4
36.65, all in T. 44 N. R. 63 E., total 367.58 acres. As listed in
"Abstract of claims to the waters of the Salmon River and its

Tributaries".

(c) Use will begin about Apr. 15 and end about Oct. 15, 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) Place of use
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

(h) Use will begin about Month and end about Month, of each year.

(i) Remarks

DESCRIPTION OF PROPOSED WORKS

Water to be diverted by means of earth and rock dam and ditches
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
 taken out on each side of main creek.

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 \$1,000.00
 6. Estimated time required to construct works 4 years

REMARKS: It is recognized by the applicant that this is a very erratic stream. It is also known that this ranch produced several hundred tons more hay and considerably more pasture than it is at present. It is also recognized that sagebrush has intruded into priority irrigated land. This condition has been created because of the impossibility of properly irrigating both the Hubbard and Vineyard Ranches by the water previously allotted to them by the Idaho Court Decree. Therefore the land watered by Dry Creek on the Hubbard Ranch has had to suffer unjustly to maintain production on the Vineyard Ranch where several sources of water can be called upon when needed.

On Page 14 of the booklet entitled "Abstract of Claims to the Waters of Salmon River and its Tributaries" issued by the State Engineer of Nevada in 1916, there is listed 1104.42 acres as being irrigated from Willow Springs or Dry Creek. This acreage would normally require 11.04 second feet of water. By the Decree of the United States District Court in Idaho this land was decreed approximately 560 acre feet, or 1.88 second feet. Applicant herein applies for the difference between the normal requirement of 11.04 second feet and the decreed 1.88 second feet, or 9.16 second feet, which is the total amount of water applied for under application Nos. 11988 and 12411.

As no additional land is to be put under irrigation all of the present irrigation system of record is to be used in the distribution of the water where it can be effectively utilized. The additional points of diversion have been requested for the reason that it was thought more efficient use and distribution of the water could be effected.

These REMARKS are repeated on application No. 11988 for the reason that both applications should be considered as operating together or as one unit as the Idaho Court Decree was so issued.

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 _____

APR 12 1948 under No. 11988 WITNESS MY HAND AND SEAL this _____ day

WITHDRAWN BY APPLICANT JUL 15 1958
Edmund A. Smith
 STATE ENGINEER

State Engineer