AMENDED

APPLICATION FOR PERMIT Serial No. 12462

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office MAY 24 1948
Returned to applicant for correction AUG 16 1948
Corrected application filed OCT 14 1948

The undersigned F. E. Hesselgesser, Jack B. Smith & Erwin Hesselgesser (Name of applicant) of Eureka, County of Eureka, State of Nevada, hereby make ___ 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 water from fad shaft at (Name of stream, lake, or other source) Eureka Corp. on Ruby Hill
2. The amount of water applied for is nine (One second-foot equals 40 miners' inches) second-feet.
3. The water to be used for Irrigation and domestic (Irrigation, power, mining, manufacturing, domestic, or other use)
4. The water is to be diverted from its source at the following point: SE¼ SE¼ Sec. 10, T. 19 N., R. 53 E., or at a point from which 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.) NE corner of Sec. 3 T. 19 N., R. 53 E. bears N. 4° 31' E. 7230 feet.

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

(a) Number of acres to be irrigated is 960

(b) Description of land to be irrigated NE¼ SE¼; S½ SW¼; and SW¼ SE¼, (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.) Sec. 21 - S½ SE¼; SE¼ SW¼, Sec. 20 - W½ NE¼; NW¼; N½ SW¼ and NW¼ SE¼ Sec. 28 - NE¼; E½ NW¼; NE¼ SW¼ and N½ SE¼ Sec. 29 - T. 20 N., R. 53 E.

(c) Use will begin about Jan. 1st (Month) and end about Dec. 31st (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 ___ (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 in ditch.

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 $150.00

6. Estimated time required to construct works 3 days

7. Remarks

For use of applicant

Erwin Hesselgesser
Francis E. Hesselgesser
~~Jack B. Smith~~, Applicant.

By

Compared HE-AT

This sheet inspected

, Engineer.

Protested Dec. 18, 1948 by A. C. Florio.

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, ~~subject to the following limitations and conditions~~ on the ground that the source of water applied for under said application is not available for appropriation as contemplated by the applicant.

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 JUL 29 1948

WITNESS MY HAND AND SEAL this 6th day of June, 1952.

State Engineer.