AMENDED

APPLICATION FOR PERMIT Serial No. 12687

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT 11 1948
Returned to applicant for correction MAY 23 1949
Corrected application filed JUN 17 1949

The undersigned John U. Birnie (Name of applicant)
of Paradise Valley, County of Humboldt,
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 Underground water from Well No. 1 (Name of stream, lake, or other source)
2. The amount of water applied for is 0.93 second-feet. (One second-foot equals 40 miners' inches)
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: N. 70° E. 845 Feet from the SW Sec. Corner Sec. 14 T. 42 N. R. 40 E. 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.)

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

(a) Number of acres to be irrigated is 93.1

(b) Description of land to be irrigated Portions of E½NE¼ Sec. 22; SE¼SE¼ Sec. 15; SW¼SW¼ Sec. 14: NW¼NW¼ Sec. 23; T. 42 N. R. 40 E., MDB&M
(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 Mar. 15 (Month) and end about Sept. 30 (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

Shallow well equipped with pump.

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 $2,000

6. Estimated time required to construct works 5 years

7. Remarks

For use of applicant

John U. Birnie, Applicant.

By A. V. Tallman
Agent

Compared AT-AM

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 existing rights and particularly the decreed water right on Martin Creek. It is further understood that when use of water under this permit is interfering with such decreed right, the State Engineer will be obligated to restrict such use. A measuring device must be installed and accurate measurements of water placed to beneficial use must be made. 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 0.93 cubic feet per second, and not to exceed a duty of 3.6 acre-feet per acre of land irrigated.

Actual construction work shall begin on or before May 25, 1950

Proof of commencement of work shall be filed before June 25, 1950

Work must be prosecuted with reasonable diligence and be completed on or before May 25, 1951

Proof of completion of work shall be filed before June 25, 1951

Application of water to beneficial use shall be made on or before May 25, 1952. Proof of the application of water to beneficial use must be filed with State Engineer on or before June 25, 1952

WITNESS MY HAND AND SEAL this 3rd day of November, 1949

ALFRED MERRITT SMITH
State Engineer

By F. N. Dondero
F. N. DONDERO - Deputy State Engineer

Map Filed JUN 17 1949

Proof of commencement of work filed MAY 15 1950

Cancelled FEB 26 1957 because of failure of applicant to comply with provisions of permit.

State Engineer