

AMENDED APPLICATION FOR PERMIT

Serial No. 12876

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR 5 1949
Returned to applicant for correction SEP 9 1949
Corrected application filed OCT 27 1949

The undersigned Lyle L. Frey Name of applicant
of Chimney Creek, Winnemucca, County of Humboldt
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 Tony Creek Name of stream, lake, or other source
2. The amount of water applied for is 0.80 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:
S. 12° 10' W. 1450 feet from the E 1/4 Cor. Sec. 29, T. 41 N., R. 37 E.,
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:
M.D.B.&M.

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

- (a) Number of acres to be irrigated is 80 acres
(b) Description of land to be irrigated Describe by legal subdivision, or if on unsurveyed land it should
NW 1/4 NE 1/4 and the NE 1/4 NW 1/4, Sec. 29, T. 41 N., R. 37 E., M.D.B.&M.
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. 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) 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

Diversion works already constructed from Tony Creek, see

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

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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 completed
- 6. Estimated time required to construct works _____
- 7. Remarks This application is for surplus water flowing in Tony
For use of applicant
Creek. Lyle L. Frey is the owner of all lands now being irrigated
from Tony Creek.

Lyle L. Frey _____, Applicant.

By A. V. Tallman
agent

Compared AT-LM _____

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 on the source. A substantial weir or other type of measuring device must be installed and maintained to facilitate the measurement of water. 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 0.80 cubic feet per second.

Actual construction work shall begin on or before June 23, 1950

Proof of commencement of work shall be filed before July 23, 1950

Work must be prosecuted with reasonable diligence and be completed on or before June 23, 1951

Proof of completion of work shall be filed before July 23, 1951

Application of water to beneficial use shall be made on or before

June 23, 1952. Proof of the application of water to beneficial

use must be filed with State Engineer on or before July 23, 1952

WITNESS MY HAND AND SEAL this 3rd day
of February, 1950

Alfred Merrill Smith
State Engineer.

CERTIFICATE No. 4852 ISSUED 3/2/59 for 0.80 cfs for irrig.
RECORDED 3/12/59 BK B PAGE 64
Humboldt COUNTY RECORDER

Proof of commencement of work filed JUN 14 1950
Proof of Completion of work filed JUL 21 1954
PROOF OF BENEFICIAL USE FILED JUL 19 1955
Cultural Map Filed JUL 19 1955

