ASSIGNED

APPLICATION FOR PERMIT Serial No. 13059

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office SEP 27 1949

Returned to applicant for correction

Corrected application filed

The undersigned F. M. & L. E. Schmidtlein (Name of applicant) of Austin, County of Lander, 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 Frenchman Creek (Name of stream, lake, or other source)

2. The amount of water applied for is 2.80 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: SW¼ NE¼ Section 16, T. 16 N., R. 44 E., M.D.B.&M., or at a point from which the SE Corner of said Section 16 bears S. 21° 46' 50" E., 4,263.51 feet.

(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 280

(b) Description of land to be irrigated S½ NW¼, SW¼ NE¼, SW¼ and SE¼ Section 24, T. 16 N., R. 44 E.

(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 Jan. 1 (Month) and end about Dec. 31 (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: The domestic use is to include a stockwatering right for livestock pastured within the irrigated area.

DESCRIPTION OF PROPOSED WORKS

An earth dam diverts the water into the Lower Frenchman ditch that

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

conveys the water in a southeasterly direction to a point where it

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.

joins the Big Smokey Ditch and comingles the water with the water from Big Smokey Creek. It is also comingled with the water from Rock and Sheep Creeks to irrigate what is known as the Big Smokey Meadow.

5. Estimated cost of works $5,000

6. Estimated time required to construct works Works completed.

7. Remarks The water from Frenchman Creek was first used in 1878,

For use of applicant

and a vested right is claimed, and is not waived by virtue of this application. This application is filed in order to make the existing water right a matter of record in the office of State Engineer

F. M. & L. E. Schmidtlein, Applicant.

By s/L. E. Schmidtlein

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 at or near the point of diversion to facilitate the measurement and control 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 2.8 cubic feet per second, with the understanding that the waters from all sources is not to exceed a duty of 4 acre-feet of water per acre of land irrigated.

Actual construction work shall begin on or before July 10, 1950

Proof of commencement of work shall be filed before August 10, 1950

Work must be prosecuted with reasonable diligence and be completed on or before July 10, 1951

Proof of completion of work shall be filed before August 10, 1951

Application of water to beneficial use shall be made on or before July 10, 1952. Proof of the application of water to beneficial use must be filed with State Engineer on or before August 10, 1952

Map Filed SEP 27 1949

Proof of commencement of work filed MAR 10 1950

Proof of Completion of work filed MAR 10 1950

PROOF OF BENEFICIAL USE FILED MAR 10 1950

WITNESS MY HAND AND SEAL this 28th day of February, 1950

ALFRED MERRITT SMITH
State Engineer.

By

HUGH A. SHAMBERGER, Asst. State Engineer.

Certificate No. 3432 Issued Apr. 3, 1950 for 2.36 cfs for Irrig'n & Dom.

Recorded Apr. 10, 1950 Bk. 17 Page 482

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