

AMENDED
APPLICATION FOR PERMIT

Serial No. 13320

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office MAR 17 1950
Returned to applicant for correction MAY 17 1950
Corrected application filed JUN 2 1950

The undersigned Henry McCleary Timber Company
Name of applicant
of Winnemucca (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.) State of Washington, February, 1906

1. The source of the proposed appropriation is Cottonwood Creek and tributaries, one tributary being West Fork of Martin Creek.
Name of stream, lake, or other source

2. The amount of water applied for is One Hundred (100) 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: NW $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 30, T. 41 N., R. 40 E., M.D.B.&M., or at a point from which the N $\frac{1}{4}$ corner of said Section 30 bears N. 79°16' E., 1,740.00 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 20,000 in whole or in part

(b) Description of land to be irrigated lies in Tps. 39, 40 & 41 N., Rs. 39 and 40 E., M.D.B.&M. Application 13320, 13321, and 13322 are all companion applications, intended to supplement each other as well as to supplement and fill the vested rights of applicant.
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.

All or parts of Sections 1, 11, 12, 13, 14, 22, 23, 24, 25, 26, 27, 34, 35 and 36, R. 40 N., R. 39 E., M.D.B.&M. All or parts of Sections 6, 7, 17, 18, 19, 30 and 31, T. 40 N., R. 40 E., M.D.B.&M. Portion of Section 1, T. 39 N., R. 39 E., M.D.B.&M. All or parts of Sections 25 and 36, T. 41 N., R. 39 E., M.D.B.&M. All or parts of Sections 30 and 31, T. 41 N., R. 40 E., M.D.B.&M.

(c) Use will begin about Jan. 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 -- and end about --, of each year.
Month Month

(i) Remarks but due to existing physical, climatic and other conditions and limitations water to supply these lands is not always available to fill applicant's necessities and rights during the season between April 1st and Oct. 1st each year. This filing is made in order to take advantage of the flood and normal supply throughout the year when available and to use it in large heads when available, also to keep the channels in condition and to supply the underground water table and hold it at a safe level for crops and pasture. Martin Creek is deemed to be a tributary of Cottonwood Creek through the West branch of Martin Creek where the waters of the West Branch have heretofore joined Cottonwood Creek.

DESCRIPTION OF PROPOSED WORKS

Concrete, rock and timber diversion dams and headgates of 200 c.f.s.

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 capacity. The existing irrigation system of sloughs, ditches and channels of various sizes will be used and enlarged where necessary.

5. Estimated cost of works \$15,000.00 to \$20,000.00

6. Estimated time required to construct works Five years

7. Remarks Water will be partially diverted first in NW 1/4 NW 1/4 Sec. 30.,

For use of applicant

T. 41 N., R. 40 E., M.D.B.&M. for Tps. 41 N., Rs. 39 and 40 E., and in SE 1/4 SE 1/4 Sec. 36, T. 41 N., R. 39 E. for lands south of Tp. line between Tps. 40 and 41 North into applicant's existing system of irrigation from Cottonwood and Martin Creeks.

HENRY McCLEARY TIMBER COMPANY, Applicant.

By Kearney & Adams

Compared AT-LM

This sheet inspected

Protested July 7, 1950 by Stewart, Lyè, Forgnone & Schwartz. Engineer.

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby deny the same, subject to the following limitations and conditions on the grounds that there is no unappropriated water in the source.

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

MAY 15 1950

WITNESS MY HAND AND SEAL this 23rd day of January, 1951

Alfred Merritt Smith State Engineer