

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office 001 31 1958
Returned to applicant for correction _____
Corrected application filed _____

The undersigned Eureka Livestock Company
Name of applicant
of P.O. Box, County of Eureka,
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 Henderson Creek
Name of stream, lake, or other source
2. The amount of water applied for is 1 1/2 second-feet.
One second-foot equals 40 miners' inches
3. The water to be used for Irrigation
Irrigation, power, mining, manufacturing, domestic, or other use
4. The water is to be diverted from its source at the following point:
In the NW 1/4 SW 1/4, Section 24, T. 23 N., R. 51 E., M.D.M., or at a point
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.
from which the northeast corner of said Section 24 bears N 51° 24' E.,
6020 feet.

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

- (a) Number of acres to be irrigated is 140
- (b) Description of land to be irrigated Portions of the following:
Describe by legal subdivision, or if on unsurveyed land it should
N 1/2 SW 1/4, SE 1/4 NW 1/4, NW 1/4 SE 1/4, S 1/2 NE 1/4 and NE 1/4 NE 1/4, Section 24, T. 23 N.,
be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.
R. 51 E., M.D.B.&M., Lots 4, 5, 8, 9 and 10 Section 19 and Lot 3 Section
30, T. 23 N., R. 52 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 _____

DESCRIPTION OF PROPOSED WORKS

Water to be diverted from the natural channel by means of an earth and rock dam approximately 16 feet long and 2 feet high. Water to be taken in head ditches along the north and south sides of the narrow canyon, as needed, and returned to the natural channel where all excess, flood, and seasonal high water will be conveyed along the natural channel of Henderson Creek to the place of storage, at the Alpha Creek dam in the SE 1/4 NW 1/4, Section 35, T.25N., R. 51E., M.D.M.

5. Estimated cost of works \$3,000

6. Estimated time required to construct works 3 years

7. Remarks In making this application the Eureka Livestock Company does not relinquish any of his Vested Rights to the waters of Henderson Creek and its tributaries, Vinini Creek and the waters of Pine Field and Chimrey Field.

Eureka Livestock Company, Applicant.

By s/ Filbert Etcheverry

Compared A.P.-I.R.

This sheet inspected

Protested Mar. 2, 1954 by Stephen Damele & Sons. DENIAL 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:~~

~~The protest is upheld in part and this application is hereby denied on the grounds that no water is available for appropriation and the approval of said application would conflict with existing decreed water rights.~~

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

Was Filed DEC 28 1953

WITNESS MY HAND AND SEAL this 11th day of August, 2008

Tracy Taylor P.E. State Engineer. TRACY TAYLOR, P.E.