AMENDED

15355

APPLICATION FOR PERMIT Serial No.

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office OCT 26 1953
Returned to applicant for correction JAN 29 1954
Corrected application filed MAR 29 1954

The undersigned James T. Elliott
Name of applicant
of McGill, County of White Pine,
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
Name of stream, lake, or other source
Robinson Canyon Channel and tributaries

2. The amount of water applied for is 6.0 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 NW¼ NW¼ Section 14, T. 17 N., R. 63 E., M.D.B.&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 Northwest Corner of said Section 14 bears N. 33°31'W., 1473 feet distant.

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

(a) Number of acres to be irrigated is 320

(b) Description of land to be irrigated S½ N½ Sec. 1, T. 17 N., R. 63 E.
Describe by legal subdivision, or if on unsurveyed land it should
M.D.B.&M., and the NW¼ Sec. 6, T. 17 N., R. 64 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 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 Water Covered by this Application is water being pumped from the Deep Ruth Shaft, Kellinsky and Star Pointer Mine Shafts, and waste water and sewage water from the New Ruth Townsite which flows down Robinson Canyon Channel and joins Murry Channel in the S½ of Section 16, T. 16 N., R. 63 E., M.D.M., and continues in the natural channel to the Point of Diversion.

DESCRIPTION OF PROPOSED WORKS

A dam, approximately 50 feet long and 5 feet high will be constructed

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

at the Point of Diversion and a ditch, approximately 6 feet wide and

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.

2 feet deep, constructed to the proposed Head Ditches and land to be

irrigated.

5. Estimated cost of works $1500.00

6. Estimated time required to construct works 3 years

7. Remarks Water herein applied for will be used on a Desert Land Entry being processed to the Bureau of Land Management. It is estimated that Kennecott Copper Corporation is pumping the following quantities from these mine shafts: Deep Ruth, located in Sec. 10, 3500-3800 g.p.m.; Kellinsky, located in Sec. 15, 1250-1500 g.p.m., and the Star Pointer located in Sec. 15 (all in T. 16 N., R. 62 E., M.D.M.) 200-400 g.p.m.

For use of applicant

/s/ James T. Elliott, Applicant.

By

Compared A.P.-I.R.

This sheet inspected

, Engineer.

Protested Apr. 23, 1954 by City of Ely.
Protested May 21, 1954 by Kennecott Copper Corporation.

APPROVAL OF STATE ENGINEER

Protest overruled 5/25/56 See ruling 228

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 existing rights and with the understanding that any part of the right granted, which is made up of abandoned water, does not constitute a permanent right and does not in any manner obligate the Kennecott Copper Corporation to continue the waste and abandonment as it not exists. A substantial headgate and measuring device must be installed and maintained 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 3.5 cubic feet per second, or a yearly duty of 4 acre-feet per acre of land irrigated.

Actual construction work shall begin on or before December 27, 1956

Proof of commencement of work shall be filed before January 27, 1957

Work must be prosecuted with reasonable diligence and be completed on or before December 27, 1957

Proof of completion of work shall be filed before January 27, 1958

Application of water to beneficial use shall be made on or before December 27, 1962. Proof of the application of water to beneficial use must be filed with State Engineer on or before January 27, 1963

Map Filed JAN 14 1954

WITNESS MY HAND AND SEAL this 27th day of June, 1956

Proof of commencement of work filed DEC 28 1956

PROOF OF COMPLETION OF WORK FILED DEC 16 1959

WITHDRAWN BY APPLICANT JAN 25 1963

STATE ENGINEER

State Engineer.

15355

ASSIGNED: On Aug. 23, 1962 by James T. Elliott to City of Ely, a municipal corporation. Deed filed Dec. 4, 1962.