

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Serial No. 15439

Date of first receipt and filing in State Engineer's office DEC 10 1953
Returned to applicant for correction
Corrected application filed

The undersigned Mrs. Horace Agee and H. Vance Agee
Name of applicant
of Wells, County of Elko, 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 Cottonwood Creek
Name of stream, lake, or other source
2. The amount of water applied for is 5.0 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:
S22°-11'W 871. feet from the northeast corner of Section 36 T. 45 N. R. 60 E. in the NE 1/4 NE 1/4 Sec. 36 T. 45N.R.60E. Designated on the map as Diversion No. 2.

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

- (a) Number of acres to be irrigated is 117.59
(b) Description of land to be irrigated NW 1/4 NW 1/4 13.38 ac.; NE 1/4 NW 1/4 15.07
NW 1/4 NE 1/4 23.22; NE 1/4 NE 1/4 20.52 all in Sec. 31; NW 1/4 NW 1/4 8.50; SW 1/4 NW 1/4 13.00;
NE 1/4 NW 1/4 0.13; SE 1/4 NW 1/4 23.77 all in Sec. 32 T. 45N R. 61E.

- (c) Use will begin about Apr. 1 and end about Oct. 1, 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
(f) Point of return of water to stream
(g) State number and kinds of animals to be watered
(h) Use will begin about and end about, of each year.

(i) Remarks: This dam and ditch therefrom are to be constructed

DESCRIPTION OF PROPOSED WORKS

A dam consisting of rock and earth or concrete is to 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 also ditch. This ditch is to irrigate land on the north side of 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. Cottonwood Creek.

5. Estimated cost of works \$2500.00

6. Estimated time required to construct works 2 years

7. Remarks This "Application is being filed to complete the record and in compliance with the Salmon River Settlement Agreement of May 20, 1952. Total acreage on Cottonwood creek not to exceed 500 acres

s/ Mrs. Horace Agee
s/ H. Vance Agee, Applicant.

By s/ H. Vance Agee

Compared A. P. - D. R.

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 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 time.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.0

cubic feet per second, and not to exceed a yearly duty of 4 acre-feet per acre of land irrigated.

Actual construction work shall begin on or before October 28, 1954

Proof of commencement of work shall be filed before November 28, 1954

Work must be prosecuted with reasonable diligence and be completed on or before October 28, 1955

Proof of completion of work shall be filed before November 28, 1955

Application of water to beneficial use shall be made on or before October 28, 1956

Proof of the application of water to beneficial use must be filed with State Engineer on or before November 28, 1956

WITNESS MY HAND AND SEAL this 28th day

of April, 1954

CERTIFICATE No. 5070 ISSUED 12/30/50 for 50 cfs for irrigation

RECORDED 116161 BK 10 PAGE 372

Elks COUNTY RECORDER

HUGH A. SHAMBERGER State Engineer.

By

EDMUND MUTH Assistant State Engineer