

AMENDED

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

SEP 15 1959

Date of filing in State Engineer's Office.....

Returned to applicant for correction..... JAN 27 1960

Corrected application filed..... MAR 28 1960

Map filed..... MAR 28 1960

The applicant..... Apex Cinnebar Mining Corp. of Mina....., County of Mineral.....

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; if a copartnership or association, give names of members.) August, 1959 Carson City, Nev.

1. The source of the proposed appropriation is..... Middle Creek (North Chiatovich Creek) Name of stream; lake or other source.

2. The amount of water applied for is..... 0.10 second-feet. One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet.

3. The water to be used for..... Mining, milling and domestic Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for: (a) Irrigation (state number of acres to be irrigated).....

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 11. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: N. 67° 34' 20" W. 6,384 ft.

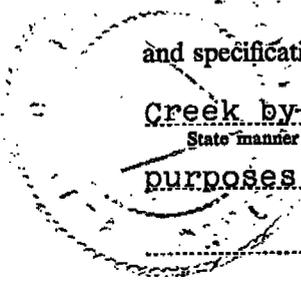
from SE. Cor. of Sec. 21, T. 1 S., R. 34 E., M.D.M. In the NE 1/4 of

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, SE 1/4 of Sec. 20, T. 1 S., R. 34 E., M.D.M. it should be stated.

6. Place of use..... In NE 1/4 of SW 1/4 of Sec. 21, T. 1 S., R. 34 E., M.D.M. Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about January 1 and end about December 31, of each year. Month Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Water to be diverted from Middle Creek by lined pipe to place of use where it will be used for domestic purposes primarily and for washing condensers daily. State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.



- 9. Estimated cost of works \$1,000.00
- 10. Estimated time required to construct works 30 days
- 11. Remarks

Compared HS/LB KB/HS Applicant Apex Cinnebar Mining Corp.
 Protested June 13, 1960 by Frank Seminario
 Protested June 20, 1960 by Frank Seminario s/ O. C. Westfield
 General Manager

DENIAL OF STATE ENGINEER

deny

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ ~~the same, subject to the~~
~~following conditions and conditions:~~

on grounds that the waters of Chiatovich Creek and tributaries,
 including North Chiatovich Creek, are fully appropriated and that
 the granting of Application No. 18324 would be detrimental to the
 public welfare and would impair the value of existing 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 shall be filed on or before

Map in support of proof of beneficial use shall be filed on or before

- Commencement of work filed
- Completion of work filed
- Proof of beneficial use filed
- Cultural map filed
- Certificate No. Issued
- Recorded Bk Page

WITNESS MY HAND AND SEAL this 21st day
 of October 1960

Edmund A. Smith
 State Engineer.

