

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

Date of filing in State Engineer's Office. SEP 29 1970

Returned to applicant for correction.....

Corrected application filed.....

Map filed OCT 9 1970 under 25807

The applicant Diamond Land and Cattle Company
of Elko, County of Elko,
State of Nevada 89801, 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.) J. H. Sewell, Mollie S.

Sewell, Thomas H. Gallagher, Dorothy S. Gallagher, Gordon Garrett, Helen Metzker, John K. Metzker & Mary Lee Fulkerson, a partnership.

1. The source of the proposed appropriation is Denay Creek AKA Tonkin Creek
Name of stream, lake or other source.

2. The amount of water applied for is 30 cfs second-foot
One second-foot equals 448.83 gals. per min.
(a) If stored in reservoir give number of acre-feet 700 A.F. acre-feet

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

4. If use is for:
(a) Irrigation (state number of acres to be irrigated) 3160 acres
(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: Lot 3, Sec. 1, T. 23 1/2 N., R49E, MDM at a point from which the N 1/4 corner of said Section 1
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
bears N 16° 48' 50" E 623.79 feet

6. Place of use Portions of Section 1, T 23 1/2 N, R 49 E
Describe by legal subdivision, if on unsurveyed land it should be so stated.
Portions of Sections 12, 13, 14, 23, 26, 35, T 24 N, R 49 E
Portions of Sections 5, 6, 7 T 24 N, R 50 E
Portions of Sections 28, 32, 33 T 25 N, R 50 E
All in MDM, containing 3160 acres

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.) Earthfill dam is to be heightened to a total of about 25' which will impound approximately 700 A.F. of
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.
water

9. Estimated cost of works... \$60,000.00
10. Estimated time required to construct works... 3 years
11. Estimated time required to complete the application to beneficial use... 5 years
12. Remarks Applicant's Address: 627 Court, Elko, Nevada 89801
Storage rights are being applied for under separate application.
Map filed in support of Irrigation and Storage

Applicant Diamond Land & Cattle Company

By s/ Mark Chilton
421 Court
Elko, Nevada 89801

Compared sdb/ md hs/jw

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 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 30.0 cubic feet per second, but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

- Actual construction work shall begin on or before October 14, 1971.
- Proof of commencement of work shall be filed before November 14, 1971
- Work must be prosecuted with reasonable diligence and be completed on or before October 14, 1972
- Proof of completion of work shall be filed before November 14, 1972
- Application of water to beneficial use shall be made on or before October 14, 1975.
- Proof of the application of water to beneficial use shall be filed on or before November 14, 1975
- Map in support of proof of beneficial use shall be filed on or before November 14, 1975

Commencement of work filed NOV 2 1972

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

Recorded Bk. Page

County Recorder

IN TESTIMONY WHEREOF, I, ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 14th day of April

A.D. 19 71

Roland D. Westergard
State Engineer

218 (Rev. 1-70) DRAWN BY APPLICANT JAN 8 1975

Roland D. Westergard
STATE ENGINEER