

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

FEB 14 1974

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed

Map filed FEB 14 1974 under 28100

The applicant Kenneth L. & Deby A. Johns - % Boyack Surveying, Agent 582 1/2 West Cedar St., of Elko 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.)

1. The source of the proposed appropriation is Shady Spring No. 2 Name of stream, lake or other source.

2. The amount of water applied for is 0.1 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 Stockwater 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) 300 Cattle

(c) Other use (describe fully under "No. 12. 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 7 of Section 35, T.36N.,

R.61E., M.D.M. from which the NW Corner of Section 2, T.35N., R.61E.,

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,

M.D.M. bears S. 70° 26' 36" W. 193.40 feet

it should be stated.

6. Place of use Lot 7 Section 35, T.36N., R.61E., 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. Day and Month Day and 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.) Spring with pond

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
- 10. Estimated time required to construct works..... 1 year
- 11. Estimated time required to complete the application to beneficial use..... 3 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant Kenneth L. & Deby Johns  
 Pro. 4/26/74 by Taylor LTD.  
 Pro. 5/6/74 by Blair G. Johns

By s/Alan S. Boyack  
Boyack Surveying - Alan S. Boyack  
582½ West Cedar St.  
Elko, Nevada 89801

Compared cm: jw

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:~~

This application is hereby denied on the grounds that neither the applicants or their agent submitted the information requested by the State Engineer's Office and that without this information the granting of the applications would threaten to prove detrimental to the public interest. No ruling is made on the merits of the protest claims.

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.....  
 County Recorder

IN TESTIMONY WHEREOF, I HUGH RICCI, P.E.  
 State Engineer of Nevada, have hereunto set my hand and the seal of  
 my office, this 10th day of January,  
 A.D. ~~19~~ 2003  
Hugh Ricci, P.E.  
 State Engineer