

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

Date of filing in State Engineer's Office MAR 17 1976

Returned to applicant for correction.....

Corrected application filed.....

Map filed MAR 17 1976

The applicant ESMERALDA EXTRACTION CORPORATION

Post Office Box 353, of Tonopah

Street and No. or P.O. Box No. City or Town

Nevada 89049, hereby make<sup>s</sup> application for permission to appropriate the public

State and Zip Code No.

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.)

ESMERALDA EXTRACTION CORPORATION, A Nevada corporation

Date of incorporation: March 22, 1954

1. The source of the proposed appropriation is underground  
Name of stream, lake or other source.

2. The amount of water applied for is two (2) 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/or domestic purposes.  
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. 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: Described on the map submitted herewith, all of which is incorporated by reference herein as if set forth at length. It is in the NW¼ of the NW¼ of Sec. 11, T.3N., R.40E., M.D.B.&M.  
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. 11' W. - 6,195.02 Et.  
from which NW Cor. of Sec. 2 T.3N., R.40E., M.D.B.&M. bears N. 3°

6. Place of use On lands owned in fee simple absolute by the applicant,  
Describe by legal subdivision, if on unsurveyed land it should be so stated.

situated in T.3N., R.40E., M.D.B.&M., as it appears with more particularity on the map submitted with this application and which is incorporated by reference herein as if set forth at length.

NW¼ of NW¼ Sec. 11, T.3N., R.40E., M.D.B.&M.

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.) Water will be appropriated from an

existing underground well, having a depth of approximately 90 feet,  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.  
and a diameter of 10", by pipes and conduits for use principally in  
a milling project.

Well and casing have been in existence for approximately 70 years; a new pump will be installed.

- 9. Estimated cost of works.....
- 10. Estimated time required to construct works..... 30 days  
Dependent upon the completion of installation of mill components, some of which are at the site. Resumption of appropriation of water will commence in 30 days.
- 11. Estimated time required to complete the application to beneficial use.....
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.  
Applicant, through itself and its predecessors in interest, claims this source by vested right. The purpose of this application is to establish a public record of such vested right initially acquired approximately in 1905 and used by various owners and lessees for similar or identical purposes since that time.

Applicant..... ESMERALDA EXTRACTION CORPORATION

By s/ Ira N. Jacobson  
Ira N. Jacobson, President  
P. O. Box 353  
Tonopah, Nevada 89049

Compared jw/ga lk/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. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If the well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water granted herein 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 2.0 cubic feet per second but not to exceed 471.81 million gallons annually.

- Actual construction work shall begin on or before..... February 20, 1977
- Proof of commencement of work shall be filed before..... March 20, 1977
- Work must be prosecuted with reasonable diligence and be completed on or before..... February 20, 1978
- Proof of completion of work shall be filed before..... March 20, 1978
- Application of water to beneficial use shall be made on or before..... February 20, 1979
- Proof of the application of water to beneficial use shall be filed on or before..... March 20, 1979
- Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... APR 7 1977  
 Completion of work filed..... MAR 27 1978  
 Proof of beneficial use filed..... MAR 13 1980  
 Cultural map filed.....  
 Certificate No. 10021 Issued..... JUN 22 1982  
 Recorded..... Bk..... Page.....  
 County Recorder

IN TESTIMONY WHEREOF, L. ROLAND D. WESTERGARD,  
 State Engineer of Nevada, have hereunto set my hand and the seal of  
 my office, this 20th day of August,  
 A.D. 1976  
L. Roland D. Westergard  
 State Engineer