

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

Date of filing in State Engineer's Office MAY 9 1977

Returned to applicant for correction

Corrected application filed

Map filed MAY 9 1977

The applicant Robert M. and Donna Marie Schmidlein c/o Boyack Surveying, Inc 582 1/2 West Cedar, 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 Flannigan Gulch Creek Name of stream, lake or other source.

2. The amount of water applied for is 6 second-foot 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 Irrigation Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 336.293

(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: SE 1/4 NW 1/4 Section 17, T.44N., R.56E., MDM at a point from which the NW Corner of said Section 17 bears N. 48° 10' W. 2950.00 feet. 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.

6. Place of use Portion of SW 1/4 SW 1/4 Section 8, T.44N., R.56E., MDM, portions of NW 1/4; N 1/2 SW 1/4, SW 1/4 SW 1/4, W 1/2 E 1/2 Section 17, T.44N., R.56E., MDM; SE 1/4 SE 1/4 Section 18, T.44N., R.56E., MDM. Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about March 1 and end about October 1, 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.) Dams and Ditches

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.....\$2,000.....
- 10. Estimated time required to construct works.....1 year.....
- 11. Estimated time required to complete the application to beneficial use.....3 yrs.....
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

In no way does this application to appropriate water for irrigation jeopardize, hinder, or interfere with the Proof of Appropriation No. 01246 and 01247 which has been submitted prior.

Applicant Robert M. and Donna Marie Schmidtlein
 Pro. 8/8/77 by Raymond Y. and Toni L. Mendive
 By.....s/ Alan S. Boyack
 Alan S. Boyack
 Compared 1p/ga.....582½ West Cedar St.
 Elko, Nevada 89801

DENIAL OF STATE ENGINEER

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

This application is hereby denied on the grounds that to approve it would interfere with 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.....
 County Recorder

IN TESTIMONY WHEREOF, I, PETER G. MORROS
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 17th day of February
 A.D. 19 89
Peter G. Morros
 State Engineer