AMENDED

№ 37829

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

Date of filing in State Engineer's Office APR 10 1979

Returned to applicant for correction. SEP 17 1979

Corrected application filed NOV 5 1979

Map filed NOV 5 1979 under 37828

The applicant McCormick Brothers c/o Boyack Surveying, Inc.

515 South Fifth Street (Street and No. or P.O. Box No.), of Elko (City or Town),

Nevada 89801 (State and Zip Code No.), 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 Spring No. 2 (Name of stream, lake or other source.)

2. The amount of water applied for is 0.5 cfs (One second-foot equals 448.83 gals. per min.) second-feet

   (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) 1000 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: SW1/4 NE1/4 Section 15, T 39 N, R 58 E, MDB & M., at a point from which the SW Corner of said Section 15 bears S 44° 27' 36" W 5300.12 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 SW1/4 NE1/4 Section 15, T 39 N, R 58 E, MDB & M.
   (Describe by legal subdivision, if on unsurveyed land it should be so stated.)

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

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.) Improve springs with open ditch

   (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 $5,000

10. Estimated time required to construct works 3 years

11. Estimated time required to complete the application to beneficial use 5 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 McCormick Brothers

By s/Alan S. Boyack
Alan S. Boyack
515 South Fifth Street
Elko, Nevada 89801

Compared bc/bl

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:

Applications 37818, 37820, 37829, 37830, 37831, 37834 through 38741, 37843, 37844 and 37848 are hereby denied on the grounds that the Humboldt River and its tributaries are fully appropriated and to approve said applications would impair the value of existing decreed 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 R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 7th day of December, A.D. 19 95

State Engineer

218 (Rev.)