

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 37821

The applicant McCormick Brothers c/o Boyack Surveying, Inc.
515 South Fifth Street, 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 Spring No. 6
Name of stream, lake or other source.

2. The amount of water applied for is 0.5 cfs 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 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: SE1/4 SW1/4 Section 26, T 40 N, R 58 E, MDB & M., at a point from which the SE Corner of said Section 26 bears S-69° 49' 28" E 3435.82 feet.

6. Place of use SE1/4 SW1/4 Section 26, T 40 N, R 58 E, MDB & M.

7. Use will begin about January 1 and end about December 31, 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.) Spring, ditches earth 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.....\$2000.....
- 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.....

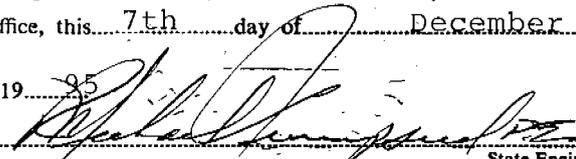
Application of water to beneficial use shall be made on or before.....

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, 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