№ 38458

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

Date of filing in State Engineer's Office JUN 28 1979

Returned to applicant for correction

Corrected application filed

Map filed June 28, 1979, under 38448

The applicant Comstock Tunnel & Drainage Co.

P.O. Box 431 (Street and No. or P.O. Box No.), of Virginia City (City or Town),

Nevada 89440 (State and Zip Code No.), hereby makes 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.) Incorporated: date: December 11, 1919 place: State of Delaware

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

2. The amount of water applied for is 0.774 second-feet (One second-foot equals 448.83 gals. per min.)

   (a) If stored in reservoir give number of acre-feet N/A acre-feet

3. The water to be used for quasi-municipal & domestic (Irrigation, power, mining, manufacturing, domestic, or other use.)

4. If use is for:

   (a) Irrigation (state number of acres to be irrigated) N/A

   (b) Stockwater (state number and kinds of animals to be watered) N/A

   (c) Other use (describe fully under "No. 12. Remarks") quasi-municipal & domestic

   (d) Power:

      (1) Horsepower developed N/A

      (2) Point of return of water to stream N/A

5. The water is to be diverted from its source at the following point: (Well #2) SE¼NW¼ Sec. 6, T16N, R22E, MDB&M, from which Northwest corner of said sec. 6 bears North 44° 30' West, 3500.00 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 portions of NW¼NW¼, Sec. 5; N½; SW¼; and NW¼SE¼ Sec. 6; T16N, R22E; N½SW¼; and SE¼SW¼ Sec. 31; T17N, R22E, MDB&M.
   (Describe by legal subdivision, if on unsurveyed land it should be so stated.)

7. Use will begin about 1st of January (Day and Month) and end about 31st of December (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.) well/pump and pipe

   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 $5-10,000

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.

Annual consumptive use 182,500,000 gallons/year

Applicant Comstock Tunnel & Drainage Co.

By s/ James B. Schryver
James B. Schryver, President
P.O. Box 431
Virginia City, NV 89440
phone: 882-2145

Compared lp/jw

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 herewith denied on the grounds that the granting of this application for an additional withdrawal of ground water where the pumpage and the water rights of record exceed the potential annual recharge would conflict with existing rights and be detrimental to the public interest.

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 WILLIAM J. NEWMAN State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 28th day of AUGUST, A.D. 19 80

William J. Newman
State Engineer

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