ORIGINAL

APPLICATION FOR PERMIT **Serial No. 3901**

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR 13 1916
Returned to applicant for correction APR. 22, 1916.
Corrected application filed

The undersigned Manuel Erro and Miguel Murillo
Name of applicant.
of Lamoille, County of Elko,
State of Nevada, 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.)

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

2. The amount of water applied for is second-feet.
One second-foot equals 40 miners' inches.

3. The water to be used for
Irrigation, power, mining, manufacturing, domestic, or other use.

4. The water is to be diverted from its source at the following point: This is an application to change point of diversion. See
Describe as being within a 40-acre subdivision of public survey; or by course and distance to a section-corner. If on unsurveyed land it should be so stated
Supplemental sheet.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) Description of land to be irrigated
Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Irrigation will begin about and end about
Month.
Month.
, of each year.

IF WATER IS TO BE USED FOR POWER, MINING, TRANSPORTATION, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horse power.

(e) Works to be located
Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner.

(f) Point of return of water to stream
Describe in same manner as point of diversion.

(g) Remarks

DESCRIPTION OF PROPOSED WORKS

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works _____

6. Estimated time required to construct works _____

7. Remarks _____

For use of applicant.

_____, Applicant.

By _____

Compared _____

Ruling #1475, dtd. 7-25-69

This sheet inspected _____

_____, Engineer.

DENIAL ~~APPROVAL~~ OF STATE ENGINEER

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

on the grounds that no water right exists which can be changed.

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 _____

Application of water to beneficial use shall be made on or before _____ Proof of the application of water to beneficial use must be filed with State Engineer on or before _____

WITNESS MY HAND AND SEAL this 25th day of July, 1969

Roland D. Westergard

State Engineer.

SUPPLEMENTAL SHEET

ORIGINAL.

Serial No. 3901.

OFFICE OF THE STATE ENGINEER, CARSON CITY, NEVADA.

STATE OF NEVADA,)
) ss.
County of Elko.)

APR. 13, 1916.

Manuel Erro, being first duly sworn, deposes and says: That on May 10th, A.D. 1915, application No. 3389 for the waters of Lamoille Creek in the County of Elko, State of Nevada, was filed in the office of the State Engineer, and on May 17th, A.D. 1915, amended application under the above serial number was filed in the office of the State Engineer. That notice of said application was published in the "Elko Free Press", a newspaper published at Elko, Nevada, for the time required by law, and all things required to be done under the above water application have been done as the law requires.

That the point of diversion named in said original application above referred to is the NE¼ of NE¼ of Section 24, Township 33 North, Range 57 East, M.D.B & M., and the lands to be irrigated under the above mentioned application is all of Section 15 in Township 33 North, Range 57 East, M.D.B & M.

That the applicants named in said application are Manuel Erro and Miguel Murillo, and affiant makes this affidavit on behalf of said applicants.

That applicants desire to have the point of diversion as set forth in said original application and amended application above referred to changed to the SW¼ of NE¼ of Section 31, Township 33 North, Range 58 East, M.D.B & M., and bases his application for change of point of diversion on the following facts:

That at the time said original application and amended application under serial No. 3389 were made, applicants gave the information necessary to make said application to one David Dotta, who resides in the Town of Elko, County of Elko, State of Nevada, in order that said application and amended application might be prepared, as applicants are unable to speak the English language fluently, and depended upon the said David Dotta to give the information required to Cantwell & Carville in order that the application might be prepared. That the said David Dotta gave as the point of diversion to be inserted in the original application the NE¼ of NE¼ of Section 24, Township 33 North, Range 57 East, M.D.B. & M., when in fact he should have given the SW¼ of NE¼ of Section 31, Township 33 North, Range 58 East, M.D.B & M., there being a mistake either on the part of the applicants to give the said David Dotta the proper point of diversion to be inserted in said application or that the said David Dotta misunderstood applicants with reference to the location of said point of diversion. Applicants intended in the first instance that said point of diversion should be on Lamoille Creek in the County of Elko, State of Nevada, and it was through said above mentioned mistake that the said point of diversion was not properly set forth in the aforesaid application and amended application of said applicants.

WHEREFORE, affiant prays on behalf of the above named applicants that the point of diversion under water application No. 3389 be changed from the NE¼ of NE¼ of Section 24, Township 33 North, Range 57 East, to the SW¼ of NE¼ of Section 31, Township 33 North, Range 58 East, M.D.B & M.

MANUEL ERRO,

Subscribed and sworn to before me this 12th day of April, A.D. 1916.

E. P. CARVILLE,
Notary Public.

(SEAL)

AMENDED

Serial No. 3901.

IN THE OFFICE OF THE STATE ENGINEER OF THE STATE OF NEVADA.

STATE OF NEVADA,)
(ss.
COUNTY OF ELKO.)

APPLICATION FOR PERMISSION TO CHANGE THE POINT OF DIVERSION

OF THE WATERS OF THE STATE OF NEVADA.

Date of first receipt and filing in State Engineer's Office, APR. 13, 1916.
Returned to applicant for correction APR. 22, 1916.
Corrected application filed, APR. 26, 1916.

The undersigned Manuel Erro and Miguel Murillo, of Lamoille, County of Elko, State of Nevada, hereby makes application to change the point of diversion of waters heretofore appropriated and beneficially used as hereinafter shown.

1, The source of the water supply of the proposed change is Lamoille Creek.

2, The quantity of water desired to be changed is 7.2 cubic feet per second.

3, The water is to be used for irrigation and domestic purposes.

4, The water is to be diverted from its source at the following point: Southwest quarter of Northeast quarter (SW¼ of NE¼) of Section Thirty-one (31), Township Thirty-three (33) North, Range Fifty-eight (58) East, M.D.B & M.

5, The existing point of diversion under the former appropriation is as follows: Northeast quarter of the Northeast quarter (NE¼ of NE¼) of Section Twenty-four (24), Township Thirty-three (33) North, Range Fifty-seven (57) East, M.D.B & M.

6, The water, herewith desired to be changed, has been beneficially and continuously used upon the following-described lands: Section Fifteen (15), Township Thirty-three (33) North, Range Fifty-seven (57) East, M.D.B & M.

7, The number of acres heretofore irrigated is _____.

8, The number of acres proposed to be irrigated is 640.

9, The description of the land proposed to be irrigated is as follows: Section Fifteen (15), Township Thirty-three (33) North, Range Fifty-seven (57) East, M.D.B & M.

10, The estimated cost of the proposed works is $750.00.

11, The estimated time required to construct the work is four months.

12, Irrigation will begin about April of each year and end about September of each year.

13, The water has been used heretofore during the months of _____ each year.

14, Remarks:

MANUEL ERRO AND MIGUEL MURILLO,
Applicants.
By Cantwell & Carville,
Attys for Applicants.

Compared R. A. McKay
This sheet inspected _____

_____, Engineer.

PROTESTED by Webster Patterson, et.al. July 15,1916.