

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR 10 1920
Returned to applicant for correction _____
Corrected application filed _____

The undersigned Gerlach Live Stock Company, a corporation,
Name of applicant.
of Gerlach, County of Washoe,
State of Nevada, 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.)

1. The source of the proposed appropriation is Cottonwood Creek,
Name of stream, lake, or other source.
2. The amount of water applied for is ten second-feet.
One second-foot equals 40 miners' inches.
3. The water to be used for Irrigation
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 for permit to change point of
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.
diversion (SEE 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.
_____, of each year.
Month.

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

- (d) Power to be developed is _____ horsepower.
- (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 _____

This sheet inspected _____

_____, Engineer.

APPROVAL OF STATE ENGINEER

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

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 must be filed with State Engineer on or before _____

Map filed 7-22-20

WITNESS MY HAND AND SEAL this _____ day

of _____

State Engineer.

APPLICATION FOR PERMISSION TO CHANGE THE POINT OF DIVERSION.

Date of first receipt and filing in the State Engineer's Office
APR 10 1920

Return to applicant for correction _____

Corrected application filed _____

The undersigned, Gerlach Live Stock Company, a corporation organized under the laws of the State of California in 1892, authorized to do and doing business in the State of Nevada, Post Office Gerlach, Washoe County, Nevada, hereby makes application to change the point of diversion of water heretofore appropriated and beneficially used as hereinafter shown.

1. The source of the water supply proposed to be changed is Cottonwood Creek.
2. The quantity of water desired to be changed is ten cubic feet per second and the entire flow of the stream.
3. The water is to be used for irrigation.
4. The water is to be diverted from its source at the following point: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 29, T.35 N., R. 23 E., M.D.M.
5. The existing point of diversion under former appropriation is as follows: SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 27, T.35 N., R. 23 E.
6. The water, herewith desired to be changed, has been beneficially and continuously used upon the lands hereinafter described in paragraph 9 as proposed to be irrigated.
7. Number of acres heretofore irrigated is about one thousand.
8. Number of acres proposed to be irrigated is about one thousand.
9. Description of lands proposed to be irrigated is as follows: Portions of the E $\frac{1}{2}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ and NW $\frac{1}{4}$ of the SE $\frac{1}{4}$; and S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 2; S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of Sec. 11; S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 12; NE $\frac{1}{4}$ and SE $\frac{1}{4}$ of Sec. 14; W $\frac{1}{2}$ of the W $\frac{1}{2}$ of Sec. 13; E $\frac{1}{2}$ of Sec. 23; W $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Sec. 26, all in T.34 N., R. 23 E., M.D.M.; SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 35; S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Sec. 36, all in T. 35 N., R. 23 E., M.D.M., aggregating about 1000 acres.
10. Description of proposed works: Water from the source is to be diverted by means of a dam and conveyed therefrom by means of a ditch to be constructed extending from the point of diversion in a south-easterly direction through the S $\frac{1}{2}$ of said Sec. 29; the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 28; the N $\frac{1}{2}$ NE $\frac{1}{4}$ Sec. 33; the NW $\frac{1}{4}$, and the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and the W $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 34, T. 35 N., R. 23 E.; the N $\frac{1}{2}$ of Lot 2; and the N $\frac{1}{2}$ of Lot 1 in the NE $\frac{1}{4}$ of Sec. 3, T. 34 N., R. 23 E., terminating at a point whence the northeast corner of Sec. 3, T. 34 N., R. 23 E., bears N. 15° 30' E. 480 feet distant, said point being also an old ditch constructed in 1904 by and ever since used by the applicant for the diversion of waters of said Cottonwood Creek for the irrigation of the lands hereinabove and in paragraph 9 described.
11. Estimated cost of proposed works is six thousand dollars.
12. Estimated time required to construct the works is two years.
13. Irrigation will begin about February 1 of each year and end about October 1st of each year.
14. The water has been used heretofore during the months of February to October of each year.
15. REMARKS: Applicant each and every year, including the year 1904, and including the year 1919, has by means of its dam, diverting works and ditch, constructed by applicant, the point of diversion being in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ Sec. 27, T.35 N., R.23 E., extending southerly to a point in Lot 1 of NE $\frac{1}{4}$ of Sec. 3, T. 34 N., R. 23 E.; thence southerly to the lands hereinabove and in paragraph 9 described, diverted and used the waters of said Cottonwood Creek.

This application for change of point of diversion, as hereinabove described, is for the purpose of conserving the waters of said Cottonwood Creek by shortening the distance of flow of such waters thereby conserving the waters of said creek from loss by seepage and evaporation, and thereby increasing the quantity of water which will be available for the irrigation of applicant's said lands hereinabove described.

That the water supply for said Cottonwood Creek is largely derived from melting snows and is extremely variable, depending upon the amount of snowfall and the climatic conditions affecting the spring run-off; in many seasons the supply from melting snow fails before the second irrigation can be completed. It is intended to divert from said Cottonwood Creek at the point of diversion hereinabove described and sought to be secured under this application the entire flow of water in said Cottonwood Creek, being the water drawn from the reservoir situated in the NW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 35, and NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34, T. 35 N., R. 22 E., M.D.M., and also all water naturally or otherwise flowing in said Cottonwood Creek from all sources above said point of diversion, to-wit, the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ Sec. 29, T. 35 N., R. 23 E., hereinabove mentioned in paragraph 4.

GERLACH LIVE STOCK COMPANY, a corporation,
Applicant.

By Cheney, Downer, Price & Hawkins,
Attorneys for Appellant.

Compared: F.F. Jones,
This sheet inspected
Engineer.

~~APPROVAL OF STATE ENGINEER~~

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

~~The records of this office show that the applicant claims a vested right for a certain portion of the waters of Cottonwood Creek under proof of appropriation No. 01275, the point of diversion of the ditch being in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, T. 35 N. R. 23 E., M.D.B & M. In addition to this claim of vested right, applicant holds permits Nos. 5015, 5016, 5017 and 5140 for storage of the waters of Cottonwood Creek and tributaries near the head of said creek. Conserved water is released from the reservoir and conveyed through the natural channel of Cottonwood Creek and then diverted at the point named above, namely, the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, T. 35 N. R. 23 E., and conducted to the place of use through the same ditch used in connection with the vested right claimed under proof of appropriation No. 01275. The intent of this application, therefore, is to change the point of diversion from the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, T. 35 N. R. 23 E., to a point farther up stream, namely within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, T. 35 N. R. 23 E., so that both the water for which a vested right is claimed, and the reservoired water will be diverted at the same point.~~

with

Alfred Herri Smith
State Engineer
By R.M.G.

No. 6052.

APPROVAL OF STATE ENGINEER

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

The records of this office show that the applicant claims a vested right for a certain portion of the waters of Cottonwood Creek under proof of appropriation No. 01275, the point of diversion of the ditch being in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, T. 35 N. R. 23 E. In addition to this claim of vested right, applicant holds permits Nos. 5015, 5016, 5017 and 5140 for storage of the waters of Cottonwood Creek and tributaries towards the head of the creek. Conserved water is released from the reservoir and conveyed through the natural channel of Cottonwood Creek and then diverted at the point named above, namely, the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, T. 35 N. R. 23 E., and conducted to the place of use through the same ditch used in connection with the vested right claimed under proof of appropriation No. 01275. The intent of this application, therefore, is to change the point of diversion from the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 27, T. 35 N. R. 23 E. to a point farther up stream, namely within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, T. 35 N. R. 23 E., so that both the water for which a vested right is claimed, and the reservoir water will be diverted at the same point.

The application is granted with the understanding that no ^{prior} rights will be affected thereby, and for the purpose of changing the point of diversion as outlined above. It is understood that, inasmuch as the actual points of diversion of water named in each of the above permits are not changed by virtue of the approval of this application, the applicant will be required to complete the works under said permits in accordance with the terms thereof.

Applicant will be required to install a substantial headgate and weir at or near the new point of diversion in order to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this change at any and all times.

It is understood that the amount of water and acreage of land to be irrigated will not be changed by virtue of the approval of this application, and that same will be governed by the amount of water allowed and land irrigated and proposed to be irrigated under the permits heretofore mentioned, and the amount to which the applicant may be entitled under claim of vested right.

- 2. Actual construction work shall begin on or before September 28, 1920.
- 1. Proof of commencement of work shall be filed before October 28, 1920.
- 1. Work must be prosecuted with reasonable diligence and be completed on or before September 28, 1922.
- 1. Proof of completion work shall be filed before October 28, 1922.
- 1. Application of water to beneficial use shall be made on or before August 25, 1927.

Proof of the application of water to beneficial use must be filed with State Engineer on or before September 25, 1927.

WITNESS MY HAND AND SEAL this 28th,
day of July, 1920.

Filed JUL 22 1920

Proof of labor filed OCT 27 1920

J. D. Sengham
State Engineer.

The time for completion of work as granted by the within permit is herewith extended to and including April 1st, 1923, and the time for filing proof of completion of work is extended to and including May 1st, 1923.

Dated this 28th day of September, 1922.

J. D. Sengham
State Engineer.

Compared H.M.P. - E.S.B.

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