

APPLICATION FOR PERMISSION TO
 CHANGE THE POINT OF DIVERSION, MANNER
 AND PLACE OF USE OF THE WATERS OF STAR CANYON CREEK,
 STATE OF NEVADA

9061

Date of first receipt and filing in State Engineer's Office SEP 20 1929

Returned to applicant for correction:

Corrected application filed:

OCT 15 1929

The undersigned Central Pacific Railway Company, a corporation organized under the laws of Utah on July 29, 1899 whose principal place of business is No. 65 Market Street, San Francisco, County of San Francisco, State of California, hereby makes application to change the point of diversion, manner and place of use of waters heretofore appropriated and beneficially used as hereinafter shown.

1. The Source of the water supply proposed to be changed is Star Canyon Creek.
2. The quantity of water desired to be changed is one and one-quarter cubic feet per second continuous flow.
3. The water is to be used for general railroad purposes and domestic use.
4. The water is to be diverted from its source at the following point:- NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24, T. 31 N; R. 34 E., M.D.B. & M. or at a point which bears S 66 deg. 43' W., 2808 feet distant from the N NE Cor. of Sec. 24, T. 31 N; R. 34 E., M.D.B. & M.
5. The existing point of diversion under the former appropriation is as follows:-SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24 and SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 24 T. 31 N; R. 34 E., M.D.B. & M, or at points which bear S 36 deg. 31' W., 1819.4 feet distant and S 48 deg. 18' W. 2028. 9 feet distant from the Northeast Cor. of Sec. 24 same township and range.
6. The water, herewith desired to be changed, has been beneficially used upon the following described lands: E $\frac{1}{2}$ of NE $\frac{1}{4}$; NW $\frac{1}{4}$ NE $\frac{1}{4}$, portions of SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 28 and portions of SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, and portions of SE $\frac{1}{4}$ OF NW $\frac{1}{4}$, SW $\frac{1}{4}$ OF NW $\frac{1}{4}$, NW $\frac{1}{4}$ OF SW $\frac{1}{4}$, NE $\frac{1}{4}$ of SW $\frac{1}{4}$, Sec. 15, all in T. 31 N; R. 35 E., M.D.B. & M.
7. Number of acres to which the water desired to be changed was formerly appurtenant is 276.30 acres.
8. The water desired to be changed is to be used for general railroad and domestic purposes at Imlay, Nevada, in the S $\frac{1}{2}$ of Sec. 4 T. 32 N; R. 34 E., M.D. B. & M.
9. Water will be diverted by means of a concrete diversion box and conveyed through 17827 feet of 8 inch cast iron pipe and 39300 feet of 6 inch iron pipe to 350000 gal. steel tank where it will be distributed by pipe line to place of use.
10. Estimated cost of proposed works is \$200,000.00
11. Estimated time to construct the works is one year.
12. *Record of Use*
 The contemplated period of use of water under this application is to be in accordance with the period of use under a vested right for irrigation purposes, which period of use has necessarily been variable and dependent upon the season, but in normal years such period of use has been about March 1st to August 31st of each year. Use of water under this application is to coordinate the use under a vested right with use of water applied for under application No. 9008 which application is for permission to appropriate one and one fourth cubic feet per second of the waters of Star Canyon Creek during the non-irrigating season.

...vested right was conveyed under the
 Remarks: The purpose of this application and of original application No. 9008 for permission to divert and appropriate for railroad and domestic use one and one fourth cubic feet per second continuous flow of the waters of Star Canyon Creek during seasons not covered by vested rights of applicant, is to secure to applicant a perennial right to one and one fourth cubic feet per second of the waters of Star Canyon Creek for said railroad and domestic purposes. The applicant has succeeded to all vested rights of one Margaret Ryan, successor to Peter Organ, in the use of waters of Star Canyon Creek and it is understood that any right heretofore vested in Margaret Ryan, and heretofore conveyed to applicant in the use of the waters of Star Canyon Creek, not changed by virtue of the filing of this application, is to remain appurtenant to the lands above described for irrigation purposes.

Compared M.F.-C.T.

Map Filed Oct. 30, 1929.

CENTRAL PACIFIC RAILWAY COMPANY
 Applicant

BROWN & BELFORD (and)
 BY FRANK THUMEN
 Attorneys for Applicant

APPROVAL

PROMISED DECEMBER 6, 1930-by-W. A. JOHNSTONE, & P. R. O'LEARY, WINNEMUCCA. 21139

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

This Permit to change the point of diversion, manner and place of use of the waters of Star Canyon Creek heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation Serial No. 01177, is issued with the understanding that no other rights on the source will be affected by the changes proposed herein. It is further understood that the one and one quarter cubic feet per second continuous flow as granted in this permit is only a temporary allowance and the final water right obtained will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1 1/4 C.F.S.

Actual construction work shall begin on or before Nov. 1, 1930
 Proof of commencement of work shall be filed before Dec. 1, 1930
 Work must be prosecuted with reasonable diligence and be completed on or before Nov. 1, 1932
 Proof of completion of work shall be filed before Dec. 1, 1932
 Application of water to beneficial use shall be made on or before Nov. 1, 1935. Proof of the application of water to beneficial use must be filed with State Engineer on or before Dec. 1, 1935.

Proof of later filed - 11-26-30

Proof of completion of work filed - 5/22/31 WITNESS MY HAND AND SEAL this 28th day
Proof of beneficial use filed - 5/22/31. of May, 1930

Certificate No. 1832 Issued June 16-1932 192
 Recorded June 18-1932 Page 72
Perching County Records

J. Geo. Malone
 State Engineer

By Alv. Reppert
 Assistant State Engineer

ABANDONED

RULING NO. 6182

DATE JUNE 15, 2012

Compared C.F. M.H.