

ASSIGNED

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

Serial No. 9733

Date of first receipt and filing in State Engineer's office MAR 23 1934
Returned to applicant for correction
Corrected application filed

The undersigned Pershing County Water Conservation District
of , County of ,
State of , 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
2. The amount of water applied for is second-feet.
3. The water to be used for
4. The water is to be diverted from its source at the following point:
(Application to change point of 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
be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

- (c) Use will begin about and end about , of each year.

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

- (d) Power to be developed is horsepower.
(e) Works to be located
(f) Point of return of water to stream
(g) State number and kinds of animals to be watered
(h) Use will begin about and end about , of each year.
(i) 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.

\_\_\_\_\_  
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 \_\_\_\_\_

WITNESS MY HAND AND SEAL this \_\_\_\_\_ day  
of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
State Engineer.

APPLICATION FOR PERMIT TO CHANGE THE  
POINT OF DIVERSION AND PLACE OF USE OF THE PUBLIC  
WATERS OF THE STATE OF NEVADA, ALREADY APPROPRIATED.

Date of first receipt and filing in State Engineer's Office MAR 23 1934  
Returned to applicant for correction \_\_\_\_\_  
Corrected application filed \_\_\_\_\_

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The undersigned, Pershing County Water Conservation District of Nevada, of Lovelock, County of Pershing, State of Nevada, hereby makes application for permission to change the point of diversion of the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give the date and place of incorporation.)

Pershing County Water Conservation District of Nevada, was organized March 5, 1927, at Lovelock, Pershing County, Nevada, under the Nevada Irrigation District Act.

1. The source of water supply proposed to be changed is Humboldt River.
2. The amount of water desired to be changed is approximately 6.52 second feet or 1282.87 acre feet/ or the total amount of water heretofore used and/or any amount of water that may hereafter be decreed to the Zabulon Silve and Celina Silve lands hereinafter described.
3. The water to be used for irrigation, stockwatering and domestic purposes.
4. The water is to be diverted from its source at the following point: W $\frac{1}{2}$  of NE $\frac{1}{4}$  Sec. 18, Twp. 30 N. Rge. 33 E. M.D.B.&M., thence Humboldt River and various ditches serving the land of the Pershing County Water Conservation District of Nevada; map showing said point of diversion heretofore filed with Application No. 9729; which by reference is made a part of this application.
5. The existing point of diversion under the former appropriation is as follows: SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 31 Twp. 35 N. Rge. 43 E.  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 30 Twp. 35 N. Rge. 43 E.  
as per map heretofore filed with the Application for Transfer of ELLISON RANCHING COMPANY, which by reference is made a part of this application.

If water is to be used for Irrigation, supply the following information:

6. The water herewith desired to be changed has been beneficially and continuously used upon the following described lands:
 

Northeast quarter (NE $\frac{1}{4}$ ) of Section Thirty-six (36) and the Southwest quarter (SW $\frac{1}{4}$ ) of Section Fourteen (14), all in Township Thirty-five (35) North of Range Forty-two (42) East, M.D.B. and M.

South half (S $\frac{1}{2}$ ) of Section Thirty (30), and the Northeast quarter (NE $\frac{1}{4}$ ) of Section Thirty (30), all in Township Thirty-five (35) North of Range Forty-three East (43), M.D.B. and M.
7. The number of acres heretofore irrigated is 775.45
8. The number of acres proposed to be irrigated is land within the Pershing County Water Conservation District of Nevada, approximately 30,000 acres.
9. Description of land Proposed to be irrigated is as follows:

IN TOWNSHIP 27 North Rge. 32 East.

$\frac{3}{4}$  of  $W\frac{1}{2}$  Section 6.  
SW $\frac{1}{4}$  south of C.P.R.R. Section 7.  
NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 18.

IN TOWNSHIP 27 North, Range 31 East.

$W\frac{1}{2}$   $W\frac{1}{2}$ ;  $E\frac{1}{2}$   $E\frac{1}{2}$ ; Section 1  
 $S\frac{1}{2}$  NW $\frac{1}{4}$ ; SE $\frac{1}{4}$  Section 12  
SE $\frac{1}{4}$ ; SE $\frac{1}{4}$  SW $\frac{1}{4}$ ,  
NE $\frac{1}{4}$  SW $\frac{1}{4}$  south of S.P.R.R. Section 13  
 $S\frac{1}{2}$  Section 14  
NW $\frac{1}{4}$ ; 28.5 a. in SE Cor. SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 22  
 $S\frac{1}{2}$  except that part of  $W\frac{1}{2}$  SE $\frac{1}{4}$   
West of S.P.R.R. Section 23.  
All lying east of City of  
Lovelock and S.P.R.R. Section 26.  
SW $\frac{1}{4}$  Section 27  
 $S\frac{1}{2}$ ;  $W\frac{1}{2}$  NE $\frac{1}{4}$ ;  $E\frac{1}{2}$  NW $\frac{1}{4}$  Section 28  
SW $\frac{1}{4}$  Section 29.  
 $E\frac{1}{2}$  SW $\frac{1}{4}$  Section 32  
All Section 33  
All Section 34  
All Section 35  
All Section 36

IN TOWNSHIP 26 North, Rge. 31 East.

All west and south of Humboldt  
River Section 1  
All Section 2  
All Section 3  
All Section 4.  
All Section 5  
All Section 10  
All Section 11  
All Section 12  
All Section 13  
All Section 14  
All Section 15  
All Section 16  
 $S\frac{1}{2}$  Section 20  
All Section 21  
All Section 22  
All Section 23  
All Section 24  
All Section 25  
All Section 26  
All Section 27  
All Section 28  
All Section 29  
 $E\frac{1}{2}$  Section 30  
 $E\frac{1}{2}$  SW $\frac{1}{4}$  Section 31  
All Section 32  
All Section 33  
All Section 34  
All Section 35  
NW $\frac{1}{4}$ ;  $W\frac{1}{2}$  SE $\frac{1}{4}$ ; NW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 36.

IN TOWNSHIP 25 North, Rge. 31 East.

All Section 3  
NE $\frac{1}{4}$ ;  $E\frac{1}{2}$  SE $\frac{1}{4}$  Section 4  
All Section 5  
All Section 6  
NE $\frac{1}{4}$ ; SW $\frac{1}{4}$ ; NE $\frac{1}{4}$  NW $\frac{1}{4}$ ; N $\frac{1}{2}$  SE $\frac{1}{4}$  Section 7.  
NE $\frac{1}{4}$  Section 8  
All Section 9  
SW $\frac{1}{4}$ ;  $W\frac{1}{2}$  NE $\frac{1}{4}$  Section 10  
NW $\frac{1}{4}$ ; NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 16  
All Section 17  
All Section 18  
 $W\frac{1}{2}$ ; SE $\frac{1}{4}$  Section 19  
 $W\frac{1}{2}$ ; SE $\frac{1}{4}$ ;  $S\frac{1}{2}$  NE $\frac{1}{4}$  Section 20.  
All Section 30.



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

IN THE MATTER OF THE APPLICATIONS OF PERSHING COUNTY  
WATER CONSERVATION DISTRICT OF NEVADA FOR PERMISSION  
TO CHANGE THE POINTS OF DIVERSION AND PLACES OF USE  
OF THE WATERS OF THE HUMBOLDT RIVER

Serial No. 9733

ORDER APPROVING APPLICATION

The above numbered application and the protests to the granting of the same filed by RUSSELL LAND & CATTLE COMPANY, a corporation, W. E. and WILLIAM LICKING, HIBERNIA SAVINGS & LOAN SOCIETY (Successor to X. RODWELL MEYER); JOHN E. MARBLE, GRAYSON W. HINCKLEY & COMPANY, a co-partnership, and HUMBOLDT LAND & CATTLE CO., a corporation, came on regularly for hearing before the State Engineer after due notice thereof having been first given pursuant to the provisions of the laws of Nevada, at Winnemucca, Nevada, on the 26th day of June, 1934, and oral and documentary evidence was presented at said hearing by the applicant and the respective protestants and the respective parties being of the opinion that the matter of the granting of the application with certain restrictions could be disposed of by stipulation and the matter thereupon being continued by mutual consent of the respective parties and the respective parties having entered into stipulation for the granting of the application with certain limitations and under certain conditions and said stipulation having been signed by the respective parties and filed in the office of the State Engineer in the above matter, it is

O R D E R E D

That the above application for permit to change the points of diversion and places of use of the water and water rights appurtenant to the lands described in said application, is hereby granted, subject to the following conditions:

(a) That the transferred water shall be used beneficially for the irrigation of the irrigable lands situate within the boundaries of the Pershing County Water Conservation District of Nevada as are shown and delineated upon the photostatic copy of a map hereunto attached, marked Exhibit A and by reference made a part of this Order and approval and in all cases where the water transferred is used upon lands within said district having a water right, that the combined use of the transferred water and the water right already existing for the irrigation of such lands, shall not exceed the maximum allowed as duty of water for such lands by decree.

(b) The water transferred shall not be stored and shall be diverted from the Humboldt River into the ditches now used for the irrigation of the lands within the Pershing County Water Conservation District of Nevada, the respective names of said ditches and points of diversion being as follows, to-wit:

Young Ditch - NE $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 21, Twp. 28 North, Range 32 E.

Old Channel, Southwest and Union Canal Ditches - at center of E $\frac{1}{2}$  of SE $\frac{1}{4}$  of Section 6, Township 27 North, Range 32 E.

Irish American Ditch - SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 7, Township 27 North, Range 32 E.

Rogers Ditch - Center of the NE $\frac{1}{4}$  of Section 24, Township 27 North, Range 31 E.

Lovelock Land & Development Co. Ditch - NW $\frac{1}{4}$  of the NE $\frac{1}{4}$  of Section 11, Twp. 25 North, Range 31 E.

(c) There shall be deducted from the transferred water the transportation losses that occur as a result of the change of points

of diversion and places of use.

(d) The water may be transferred during the irrigation season only and at such times when the same can be used beneficially upon the lands within said Pershing County Water Conservation District of Nevada.

(e) If any of the lands from which the water rights are herein allowed to be transferred are irrigated during any irrigation season by preventable diversion or overflow, then and in such event the quantity of water appurtenant to such lands shall be deducted from the amount of water to be transferred during such irrigation season.

(f) This Order and permit for change of points of diversion and places of use shall not become effective for any purpose unless and until the Pershing County Water Conservation District or the United States of America shall have acquired the title to the lands described in the application, pursuant to which this Order is entered, and the District has, within six months from the date of the stipulation pursuant to which this Order is entered, conveyed or caused to be conveyed, to Protestants T.S. Cattle Co., and W. E. and William Licking the lands described in the Agreements and Stipulations on file herein (Serial Nos. 9729-9735, both inclusive), entered into between said Protestants and the District, together with the water rights appurtenant thereto, as therein provided; and the District has, within six months from the date of the Stipulation and Agreement entered with Protestant Russell Land & Cattle Company, a corporation, on file herein (Serial Nos. 9729-9735, both inclusive), conveyed or caused to be conveyed to the Russell Land & Cattle Company, a corporation, the lands described in said Stipulation and Agreement, together with the water rights appurtenant thereto as therein provided.

Actual construction work shall begin on or before August 1, 1935; proof of commencement of work shall be filed before September 1, 1935, work must be prosecuted with reasonable diligence and be completed on or before August 1, 1937; proof of completion of work shall be filed on or before September 1, 1937, Application of water to beneficial use shall be made on or before September 1, 1937. Proof of Application of water to beneficial use must be filed with the State Engineer on or before October 1, 1937.

WITNESS my hand and seal this 8th day of October, 1934.

*[Handwritten signature]*  
STATE ENGINEER

*Proof of labor filed* OCT 24 1935

*Proof of completion of work filed* JUL 27 1937

*abrogated  
see 12951*

