

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED.

Date of first receipt and filing in State Engineer's office FEB 18 1943

Returned to applicant for correction _____

Corrected application filed _____

The undersigned T.F. Brennen Land & Livestock Co.
Inc. Elko, Nevada January 2, 1929 (Name of applicant.)
of Elko, County of ElkoState of Nevada, hereby makes application for permission to change the point of diversion and place of useof water heretofore appropriated under Proofs 00353 and 00660(State nature of right that is the basis of this application, i. e., vested, decreed or permitted right.)
in Humboldt River Decree

1. The source of water supply is Cottonwood Canyon
2. The quantity of water desired to be changed 0.677 second feet
(Acre feet, second feet.)
3. The water is to be used for Irrigation purposes
4. The water heretofore used for Irrigation
5. Place of use under existing appropriation 00353-15.02 acres in W $\frac{1}{2}$ of SW $\frac{1}{2}$ of Sec. 16, Under 00660 26.50 acres in E $\frac{1}{2}$ of NW $\frac{1}{4}$, 2.21 acres in SW $\frac{1}{4}$ of NW $\frac{1}{4}$, 8.25 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ and 3.09 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 20 all in T. 32 N., R. 57 E., M.D.B. & M. subdivision.)
(Under irrigation give number acres and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)
6. Proposed place of use under this application 34.85 acres in S $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 17, T 32 N., R. 57 E.
(Under irrigation give number acres and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)
7. The water is to be diverted from its source at the following point: In the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Sec. 20, T 32 N., R 57 E., or at a point whence the north one quarter corner of Sec. 20 T 32 N., R 57 E., bears N. 30°23'W., 1980.00 feet.
(Describe as being within a 40-acre subdivision of public survey or by course and distance to a section corner.)
8. The existing point of diversion under the former appropriation is as follows: Under 00660 is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Sec. 20. 00353 same as above.
(If point of diversion is not changed do not answer.)
9. Number and kind of animals proposed to be watered _____
10. Use will begin about April 15th and end about August 15th each year.
(Month) (Month)
11. The water has been used heretofore during the months of Same as 10 of each year
12. Remarks 13.50 acres in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 16 formerly irrigated from same source under 00353 remain undisturbed.

13. Description of proposed works include enlarging main diversion ditch and constructing distribution laterals. Also plowing and seeding ground to crops.

14. Estimated cost of works \$500.00

15. Estimated time required to construct the works is 5 years

Map Filed FEB 18 1943

T.F. Brennen Land & Livestock Co. Applicant

Compared RMA-CT.

By H. M. Brennen Mgr.

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:

This permit to change the point of diversion and place of use of 0.634 cubic foot per second or 154.44 acre-feet per season of the waters of Cottonwood Creek (Cottonwood Canyon), a tributary of the Humboldt River System, heretofore appropriated under claim of vested right as evidenced by Proofs of Appropriation of Water Serial Nos. 00353 and 00660 and the Humboldt River Decree, pages 222 and 235, is issued with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and weir must be installed at or near the new point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the diversion and use of water under this proposed change at any and all times.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.634 cubic foot per second or 154.44 acre-feet per season.

Actual construction work shall begin on or before June 22, 1944.

Proof of commencement of work shall be filed before July 22, 1944.

Work must be prosecuted with reasonable diligence and be completed on or before June 22, 1945.

Proof of completion of work shall be filed before July 22, 1945.

Application of water to beneficial use shall be made on or before June 22, 1947.

Proof of the application of water to beneficial use must be filed with the State Engineer on or before July 22, 1947.

WITNESS MY HAND AND SEAL this 22nd day of

December, 1943

Alfred Manix Smith
State Engineer.

Proof of commencement of work filed JUN 5 1944

Proof of Completion of work filed DEC 26 1946

Proof of Beneficial use filed JUL 17 1947

Natural Map Filed July 17 1947

Certificate No. 3276 Issued Nov 17, 1947 For 0.633 cfs

Recorded Nov 22, 1947, Pk 3, Page 321-322 of Water Rights

File County Records

Compared RMA-CT