

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 JUN 3 1943

Returned to applicant for correction _____

Corrected application filed _____

The undersigned The United States of America, Department of the Interior, National Park Service, by Robert H. Rose Acting Coordinating Superintendent, Boulder Dam National Recreational Area.
of Boulder City, County of Clark

State of Nevada, hereby makes application for permis-

sion to change the point of diversion, method of conveyance, place and manner of use

of water heretofore appropriated under Proof No. 01065 under decreed rights to Cave Spring, being part of the adjudication of rights to Baker and Lehman Creeks, decreed October 1, 1934.
(State nature of right that is the basis of this application, i. e., vested, decreed or permitted right.)

1. The source of water supply is Cave Springs and a nameless spring hereafter designated as South Spring.
2. The quantity of water desired to be changed 0.15 second foot (109.5 Acre-feet per Annum.)
(Acre feet, second feet.)
3. The water is to be used for Domestic & Recreational purposes.
(See 12)
4. The water heretofore used for Irrigation (See Remarks 12)
5. Place of use under existing appropriation 7.5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, T. 13 N., R. 69 E., M.D.B.&M. as described in
and description in respect to Government Land Survey; under any other use give location as being within a 40-acre decree which is partly in error.
subdivision.)
6. Proposed place of use under this application SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10; NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 15, T. 13 N., R. 69 E.,
of 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 T. 13 N., R. 69 E., M.D.B.&M. (See Remarks 12)
(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: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, T. 13 N., R. 69 E., M.D.B.&M. according to the decree.
(If point of diversion is not changed do not answer.)
9. Number and kind of animals proposed to be watered None
10. Use will begin about Jan. 1 and end about Dec. 31 of each year.
(Month) (Month)
11. The water has been used heretofore during the months of January 1 to December 31 of each year
12. Remarks The diversion from Cave Springs is in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 9 whence SE corner Section 10 bears S. 70°10' E. 8312 feet, and the diversion from South Spring is in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 16 whence SE corner Section 10 bears N. 81°37' E. 7164 feet. Part of the water will be allowed to flow down the outlet channels of said springs to the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10 at point whence SE corner bears S. 73°15' E. 4198 feet where it will be diverted and used through the original ditch covered by the decree under Proof No. 01065. It is planned to divert 0.10 sec. ft. from Cave Springs and 0.05 sec. ft. from South Spring, but the right is requested to divert all or any part from either source as the available supply will permit.

13. Description of proposed works Water from spring area is conveyed to collecting sump at points of diversion by means of natural channel, system of pipes, ditches, cuts, etc., thence by means of pipe line, natural channel and rediverting ditch to the place of use.

14. Estimated cost of works \$20,000.00

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

Map Filed JUN 3 1943

Compared RMA-C.T.

The United States of America,
Department of the Interior Applicant
National Park Service

By Robert H. Rose, Acting
Robert H. Rose, Coordinating Superintendent,
Boulder Dam National Recreational Area.

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, manner and place of use of the waters of Cave Springs and Tributaries heretofore appropriated under claim of vested right as evidenced by Proof of Appropriation of Water Serial Number 01065 and as set forth in the Court Decree of the Seventh Judicial District Court of the State of Nevada in and for the County of White Pine in that certain proceedings entitled "In the Matter of The Determination of The Relative Rights In and To The Waters of Baker and Lehman Creeks and Tributaries in the County of White Pine, State of Nevada," is issued subject to the terms and conditions imposed in said Decree and with the understanding that no prior rights on the source will be affected by the change proposed herein. Measurements of the water placed to beneficial use must be taken from time to time and included in the Proof of Beneficial Use when filed. The State reserves the right to regulate the use of the 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 0.15 cubic foot per second or 109.5 acre-feet per annum.

Actual construction work shall begin on or before September 19, 1945.

Proof of commencement of work shall be filed before October 19, 1945.

Work must be prosecuted with reasonable diligence and be completed on or before September 19, 1947.

Proof of completion of work shall be filed before October 19, 1947.

Application of water to beneficial use shall be made on or before September 19, 1948.

Proof of the application of water to beneficial use must be filed with the State Engineer on or before October 19, 1948.

WITNESS MY HAND AND SEAL this 19th day of

Proof of commencement of work filed AUG 17 1945

March, 1945

Alfred Merritt Smith
State Engineer

MAY 15 1962

WITHDRAWN BY APPLICANT

Edmund M. Smith
STATE ENGINEER

Compared RMA-EM