

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 AUG 16 1943
Returned to applicant for correction NOV 27 1943
Corrected application filed JAN 26 1944

The undersigned Melvin Schwake (Name of applicant.)
of Gardnerville, County of Douglas

State of Nevada, hereby makes application for permission to change the point of diversion and place of use

of water heretofore appropriated under law of appropriation, vested right (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 Carey Creek
2. The quantity of water desired to be changed 0.37 C.F.S. or 14.8 in. (Acre feet, second domestic)
3. The water is to be used for irrigation, stockwatering and purposes
4. The water heretofore used for the same purposes original.
5. Place of use under existing appropriation in the E 1/2 of the NE 1/4 of Section 9, T. 12 N., R. 19 E. M.D.B.M. (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 in the S 1/2 of the SE 1/4 of Section 3 and portion of NE 1/4 of Section 10, T. 12 N., R. 19 E. (Under irrigation give number 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: NE 1/4 of the SE 1/4, Sec. 9, T. 12 N., R. 19 E. to-wit; S. 87° 06' W. 602.00 feet from the 1/4 cor. to Sec.'s 9 & 10, T. 12 N., R. 19 E. (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 the NE 1/4 of the SE 1/4 of Sec. 9, T. 12 N., R. 19 E., or S. 79° 25' W. 980. as-fellows-ft. from the east one-quarter corner of said section 9. (If point of diversion is not changed do not answer.)

9. Number and kind of animals proposed to be watered the point of return of the water desired is at the settling box (installed) of the applicant and which bears S. 88° 30' W. 545. feet from the east one-quarter corner of said section 9.

10. Use will begin about Jan. 1st and end about Dec. 31st of each year. (Month) (Month)

11. The water has been used heretofore during the months of The year round of each year

12. Remarks Waters of Carey Creek have been used for stockwatering, domestic and irrigation purposes for over seventy years. Right is transferred by mesne conveyances to present applicant. Water has been used and beneficially applied by this applicant and predecessors in interest for over seventy years.

13. Description of proposed works to consist of a concrete weir constructed in Carey Creek and a diverting box with an aperture large enough to permit the passing of 0.37 cubic second feet of water (14.80 inches) under six inch pressure, as set forth in agreement, Also a pipe line about 65 feet long will be constructed to carry the water from the point of diversion to the point of return at applicant's settling box and intake of supply (6" pipe) line.

14. Estimated cost of works \$350.00

15. Estimated time required to construct the works is one year.

*Map Filed JAN 27 1944
Compared RMA - A.T.*

Melvin Schwake Applicant

By George Sanford

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 the waters of Carey Creek as claimed under a vested right 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 amount of water to be changed shall be limited to the amount which can be applied to beneficial use and not to exceed 0.37 cubic foot per second.

Actual construction work shall begin on or before October 1, 1944.

Proof of commencement of work shall be filed before November 1, 1944.

Work must be prosecuted with reasonable diligence and be completed on or before October 1, 1945.

Proof of completion of work shall be filed before November 1, 1945.

Application of water to beneficial use shall be made on or before October 1, 1946.

Proof of the application of water to beneficial use must be filed with the State Engineer on or before November 1, 1946.

Proof of commencement of work filed OCT 28 1944

Proof of Completion of work filed OCT 8 1945

Proof of Beneficial use filed OCT 8 1945

WITNESS MY HAND AND SEAL this 5th day
of June, 1944.

Cert No 2937

Recorded Apr 27 1946 Br. A. WATER RIGHTS Page 210

Douglas County Records

Alfred Murray Smith
State Engineer.