

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 27 1946

Returned to applicant for correction _____

Corrected application filed _____

The undersigned The Virginia City Water Company (Name of applicant.)

of Virginia City, County of Storey

State of Nevada, hereby makes application for permis-

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

of water heretofore appropriated under judgment of the District Court in (State nature of right that is the basis of this

Washoe County, February 8, 1892.

application, i. e., vested, decreed or permitted right.)

- 1. The source of water supply is North Creek (Third Creek) and tribu- taries thereto.
2. The quantity of water desired to be changed 5.5 second feet (Acre feet, second feet.)
3. The water is to be used for irrigation purposes
4. The water heretofore used for municipal purposes
5. Place of use under existing appropriation Virginia City, Nevada (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 within sections 1-2-3- 4-9-10-11-14-15-16-21-22 and 23, T. 16 N., R. 19 E., MDB and M., (Under irrigation give number of acres and description in respect to Government Land Survey; under any other use give location as being within a approximately 3,500 acres. 40-acre subdivision.)

- 7. The water is to be diverted from its source at the following point: N 43°24'10" E., 666.3 feet from the corner of sections 26, 27, 34, and 35, T. 17 N., R. 18 E. and N 0° 16' 50" W. 755.0 feet from the 1/4 corner of sections 26 and 35 T. 17 N., R. 18 E. M.D.B. & M. (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 1/4 of NE 1/4 Section 3, T. 16 N., R. 18 E., M.D.B. & M. (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 January 1 and end about December 31 of each year. (Month) (Month)

- 11. The water has been used heretofore during the months of January 1 to December 31, inclusive. of each year

- 12. Remarks _____

13. Description of proposed works Diversion Dam at each point of diversion, with open ditch to Ophir Creek in Tahoe Meadows; thence via Ophir Creek to a point near Price's Lake; thence rediverted by open ditch to Franktown Creek.

14. Estimated cost of works \$30,000.00

15. Estimated time required to construct the works is 2 years.

Compared VS-A.T.

THE VIRGINIA CITY WATER CO. Applicant

By Geo. B. Thatcher
Vice President.

Filed JUL 2 1946

Protested August 22, 1946 by Neva Winters Sauer, Theodora W. Longabaugh and Theodora W. Longabaugh as Adminx. Estates of Lewis Winters and Archie C Winters, deceased (Protest withdrawn Jan. 31, 1947.)
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 of use and place of use of 5.5 c.f.s. of the waters of North Creek heretofore decreed under that certain judgment and decree dated February 8, 1892 and filed in Recorded Book D - pages 21-22 of Washoe County, Nevada, is issued subject to the conditions imposed in said decree, which provides a period of use on 1.875 c.f.s. during the months of June through October of each year and on 3.625 c.f.s. during the months of January, February and May through to December 31st of each year and with the understanding that no other rights on the source will be affected by the change proposed herein. It is further understood that this permit is subject to the terms and conditions set forth in that certain stipulation dated February 7th, 1947 and filed in the office of State Engineer on February 14th, 1947 between Virginia City Water Company, Henry E. Heidenreich, et al and Neva Winters Sauer, Theodora W. Longabaugh & Theodora W. Longabaugh, as administratrix of the estate of Lewis Winters, deceased, and Archie C. Winters, deceased.

The State retains 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 5.5 cubic feet per second.

Actual construction work shall begin on or before March 15, 1948

Proof of commencement of work shall be filed before April 15, 1948

Work must be prosecuted with reasonable diligence and be completed on or before March 15, 1950

Proof of completion of work shall be filed before April 15, 1950

Application of water to beneficial use shall be made on or before

March 15, 1952. Proof of the application of water to beneficial

use must be filed with State Engineer on or before April 15, 1952

Proof of commencement of work filed MAR 2 1948

Proof of Completion of work filed OCT 8 1954

PROOF OF BENEFICIAL USE FILED AUG 1 1954

of March, 1947

Certificate No. 4217 Issued FEB 14 1955 for 5.5 cfs

Recorded 2/16/55 Bk 2 Page 555

Washoe County Nevada

Alfred Merritt Smith
STATE ENGINEER.