ASSIGNED

Serial No. 15392

AMENDED

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 NOV 16 1953

Returned to applicant for correction SEP 17 1954

Corrected application filed OCT 4 1954

The undersigned Walter M. Gilmer (Name of applicant.)

of Wells, County of Elko

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

of water heretofore appropriated under Application No. 2085 (State nature of right that is the basis of this application, i. e., vested, decreed or permitted right.)

permitted right

1. The source of water supply is Sun Creek

2. The quantity of water desired to be changed 0.53 c.f.s. 190.8 ac.ft. (Acre feet, second feet.)

3. The water is to be used for irrigation and domestic purposes

4. The water heretofore used for irrigation and domestic

5. Place of use under existing appropriation NW¼ SE¼ 11.89 acres; (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.) NE¼ SE¼ 17.18 ac.; in Sec. 19: NW¼ SW¼ 18.17 ac.; NE¼ SW¼ 5.76 ac.; in Sec. 20, T. 44 N., R. 60 E., M.D.B.&M. a total of 53.00 acres

6. Proposed place of use under this application Same as 5 (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: Lot 3 (NW¼ SW¼) Sec. 19, T. 44 N., R. 60 E. or at a point that bears N. 13° 15' E. 2387 feet from the SW corner of Sec. 19, T.44N.,R.60E. (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 NE¼ SE¼ Sec. 24, T. 44 N., R. 59 E., or at a point that bears N. 71°35' as follows: W. 6730 feet from the SE corner of Sec. 19, T.44N.,R.60E. (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 (Month) and end about August (Month) of each year.

11. The water has been used heretofore during the months of April to August using rotation system of irrigation of each year

12. Remarks The reason for changing the point of diversion is that the original dam and ditch was washed out by flood water. Also the original ditch was much longer than was necessary thus causing a considerable loss of water by seepage and evaporation. This Application is being filed in compliance with the Salmon River Settlement Agreement of May 20, 1952.

13. Description of proposed works A new dam and ditch has already been constructed and land irrigated as shown on map in "Proof of Application of water to Beneficial Use".

14. Estimated cost of works completed

15. Estimated time required to construct the works is completed

Compared AP-2L

MAY 4 1953 under 2085

Map Filed

/s/ Walter M. Gilmer Applicant

By

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 of the waters of Sun Creek as heretofore granted under Permit No. 2085 is issued subject to the terms and conditions imposed in said Permit No. 2085 and 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 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 0.53 cubic foot per second.

Actual construction work shall begin on or before June 23, 1955

Proof of commencement of work shall be filed before July 23, 1955

Work must be prosecuted with reasonable diligence and be completed on or before June 23, 1956

Proof of completion of work shall be filed before July 23, 1956

Application of water to beneficial use shall be made on or before June 23, 1957. Proof of the application of water to beneficial use must be filed with State Engineer on or before July 23, 1957

Proof of commencement of work filed JAN 7 1955

Proof of Completion of work filed JAN 7 1955

PROOF OF BENEFICIAL USE FILED JAN 7 1955

WITNESS MY HAND AND SEAL this 23rd day of December, 1954

Certificate No. 4190 Issued FEB 7 1955 for 0.53 cfs

Recorded 2/11/55 Bk 4 Page 48

Elko County Records

HUGH A. SHAMBERGER
State Engineer

By

Edmund D. Muth

EDMUND MUTH
Assistant State Engineer

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