Por RELINQUISHED

ASSIGNED

AMENDED

APPLICATION FOR PERMIT

Serial No. 17154

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office JAN 15 1957
Returned to applicant for correction MAY 29 1957
Corrected application filed JUL 9 1957

The undersigned Ether W. Westmoreland (Name of applicant) of Winnemucca, County of Humboldt, State of Nevada, hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.)

1. The source of the proposed appropriation is Underground (Name of stream, lake or other source)

2. The amount of water applied for is 7.0 (One second-foot equals 40 miners' inches) second-feet.

3. The water to be used for Domestic and Irrigation (Irrigation, power, mining, manufacturing, domestic, or other use)

4. The water is to be diverted from its source at the following point:

NE¼ NW¼ Sec. 25, T. 35 N., R. 37 E., M.D.B.&M. At a point which bears (Describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated.) S. 86° 33' E. 2495 feet from the Northwest corner of Sec. 25, T. 35 N., R. 37 E., M.D.B.M.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is 320

(b) Description of land to be irrigated W½ Section 25, T. 35 N., (Describe by legal subdivision, or if on unsurveyed land it should be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.) R. 37 E., M.D.B.&M.

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

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is _____ horsepower.

(e) Place of use _____ (Give location of place of use by legal subdivision)

(f) Point of return of water to stream _____ (Describe in same manner as point of diversion)

(g) State number and kinds of animals to be watered _____

(h) Use will begin about _____ (Month) and end about _____ (Month), of each year.

(i) Remarks Water under this application will be comingled with water from NE¼ SW¼ Sec. 25, T. 35 N., Range 37 E., M.D.B.&M.

DESCRIPTION OF PROPOSED WORKS

Ditches and sprinkler

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.

5. Estimated cost of works $15,000.00

6. Estimated time required to construct works 5 years

7. Remarks

For use of applicant

Ether W. Westmoreland, Applicant.

By s/ Richard M. Black
Agent for Applicant

Compared HS/BB HS/AM

Protested Sept. 25, 1957 by PCWCD of Nevada, See Ruling No. 321, dated 3/12/59

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 is issued subject to all existing rights on the source and is limited to what the well will produce but not to exceed 3.5 c.f.s. It is understood that this right must allow for a reasonable lowering of the static water level at permittees well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept, and a method provided, either air line or opening, for measuring depth to water. The State retains the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 3.5 cubic feet per second, or a yearly duty of 4.0 acre-feet per acre of land irrigated.

Actual construction work shall begin on or before November 12, 1959

Proof of commencement of work shall be filed before December 12, 1959

Work must be prosecuted with reasonable diligence and be completed on or before November 12, 1960

Proof of completion of work shall be filed before December 12, 1960

Application of water to beneficial use shall be made on or before November 12, 1963. Proof of the application of water to beneficial use must be filed with State Engineer on or before December 12, 1963

Map filed Jul. 9, 1957 under 17153

Commencement of work filed NOV 25 1960

Completion of work filed NOV 25 1960

Proof of beneficial use filed Oct. 12, 1965

Cultural map filed Oct 27 1965

Certificate No. 5940 Issued Nov. 15, 1965

Recorded Nov. 26, 1965 Bk. 13 Page 148

Humboldt County

WITNESS MY HAND AND SEAL this 12th day of May, 1959

Edmund A. Mueller
State Engineer.

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RS