AMENDED

Serial No. 20413

APPLICATION FOR PERMIT

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office APR 16 1962

Returned to applicant for correction JUL 3 1962

Corrected application filed SEP 6 1962

Map filed SEP 6 1962

The applicant Howard W. Westervelt

of Cedarville, County of Modoc,

State of California, 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; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is East Fork of Sand Creek
   Name of stream, lake or other source.

2. The amount of water applied for is 25 second-feet
   One scond-foot equals 448.83 gals. per min.

   (a) If stored in reservoir give number of acre-feet 1058.32 (in California) acre-feet

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

4. If use is for:

   (a) Irrigation (state number of acres to be irrigated) 380

   (b) Stockwater (state number and kinds of animals to be watered)

   (c) Other use (describe fully under "No. 11. Remarks")

   (d) Power:

   (1) Horsepower developed

   (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: Lot 5 of Sec. 5, T. 43 N., R. 18 E., M.D.B.&M., Washoe Co., State of Nevada, said point lying
   Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be stated.
   N. 5°0' E., 1923.0 feet from the SW Sec. Cor. of Sec. 5, T. 43 N., R. 18 E., M.D.B.&M.

6. Place of use SW¼ Sec. 22, T. 44 N., R. 17 E., M.D.B.&M. in T. 43 N.,
   Describe by legal subdivision, if on unsurveyed land it should be so stated.
   R. 17 E., the S½ of the SE¼ of Sec. 20 and the NE¼ and the E½ of the NW¼ of Sec. 29.

7. Use will begin about January 1st (Month) and end about December 31st (Month), of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Diversion dam, headgates and storage reservoir (Reservoir in California.) Land inundated by
   State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.
   reservoir are: portion W½ W½ Sec. 14; E½, SE¼ NW¼, NE¼ SW¼ Sec. 15, T. 44 N., R. 17 E., M.D.B.&M. (in California)

9. Estimated cost of works $10,000.00

10. Estimated time required to construct works 5 years

11. Remarks The applicant is the successor in interest to the Boggs and Warren interests under Appl. and Permit No. 3069. Due to the illness of Mr. Chas. Pope this prior application was allowed to be cancelled, however, the water has been used uncontested since Aug. 6, 1914.

Applicant s/ Howard W. Westervelt

By

Compared hs/lb hs/ns

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 divert 25.0 c.f.s., in the State of Nevada for 1,058.32 acre-feet storage per annum for irrigation on 380 acres of land both in the State of California is issued subject to all existing rights on the source and pursuant to NRS 533.522 (Appropriation from interstate streams.) A substantial headgate and measuring device to which a recorder can be attached if necessary must be installed and maintained to facilitate the measurement and control of water. The proof of beneficial use and cultural map, when filed, must show the maximum amount of water stored and released during any one year, and the lands on which such water was used. 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 25.0 cubic feet per second, or not to exceed 1,058.32 acre-feet storage per annum.

Actual construction work shall begin on or before June 28, 1964

Proof of commencement of work shall be filed before July 28, 1964

Work must be prosecuted with reasonable diligence and be completed on or before June 28, 1965

Proof of completion of work shall be filed before July 28, 1965

Application of water to beneficial use shall be made on or before June 28, 1968

Proof of the application of water to beneficial use shall be filed on or before July 28, 1968

Map in support of proof of beneficial use shall be filed on or before July 28, 1968

Commencement of work filed Aug. 12, 1965
Completion of work filed Aug. 12, 1965
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued
Recorded Bk. Page
County Recorder

WITNESS MY HAND AND SEAL this 28th day of January, 1964

ELMO J. DeRICCO
State Engineer
By
Assistant State Engineer

CANCELLED AUG 31 1970 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

Roland D. Westergard
STATE ENGINEER

218 (Rev.)