

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 filing in State Engineer's Office APR 6 1976

Returned to applicant for correction APR 15 1976 MAY 4 1976

Corrected application filed MAY 11 1976 Map filed APR 22 1976 under 30147

The applicant Elmer and Mildred Miller

Star Route, Box 138 of Winnemucca Street and No. or P.O. Box No. City or Town

Nevada 89445 State and Zip Code No. hereby make application for permission to change the

Point of Diversion

of water heretofore appropriated under Little Humboldt River Decree 0669B

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Cottonwood Creek Name of stream, lake or other source.

2. The amount of water to be changed 1.1161 cfs Second feet, acre feet.

3. The water to be used for as decreed If for stock state number and kind of animals.

4. The water heretofore used for as decreed If for stock state number and kind of animals.

5. The water is to be diverted at the following point in the NW 1/4 NW 1/4 Sec. 30, T.41N., R.40E., MDB&M; or a point from which the NW corner of said Sec. 30 bears N. 87° 42' W. 887 ft. 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.

6. The existing point of diversion is located within the SW 1/4 SE 1/4 Sec. 34, T. 40N., R. 39E. MDB&M; or a point from which the SE corner of said Sec. 34 bears S. 53°44'E. 2110 ft. If point of diversion is not changed, do not answer.

7. Proposed place of use Source--Cottonwood Creek Proof No. 0669B Ditch--Ditches and dams (causing overflow). Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

1876	-	39.10	NE 1/4 SE 1/4	4	39	39	35.19
1876	36.79		NW 1/4 SW 1/4	3	39	39	132.44
1876	35.72		SW 1/4 SW 1/4	3	39	39	261.03
	72.51	39.10					

8. Existing place of use Water from Little Humboldt River and Martin Creek is used in conjunction with water from Cottonwood Creek on above lands. Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated. Same

9. Use will be from as decreed to of each year. Day and Month Day and Month

10. Use has been from as decreed to of each year. Day and Month Day and Month

11. 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.) existing irrigation system. A right and easement is to be secured from Nevada First Corp. so that the water rights referred to in this application may be conveyed through the property of Nevada First Corp., situated in Twps. 40 & 41, Ranges 39 & 40 E. MDB&M, so as to reach the real property belonging to the Millers

- 12. Estimated cost of works..... over \$100
- 13. Estimated time required to construct works..... completed
- 14. Estimated time required to complete the application of water to beneficial use..... completed
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Compared..... ga/bs ..... pr/bc ..... Applicant..... Elmer Miller

By..... s/ J. R. Caldwell  
J. R. Caldwell

260 Minor St. Winnemucca, Nv.  
89445

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 Cottonwood Creek as heretofore appropriated under Proof 0669B as appears in the Little Humboldt River Decree No. 3157 entered May 9, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.1161 cubic feet per second, and shall not exceed the acre-feet per irrigation season as designated by the decree.

Actual construction work shall begin on or before..... N/A

Proof of commencement of work shall be filed before..... N/A

Work must be prosecuted with reasonable diligence and be completed on or before..... October 15, 1985

Proof of completion of work shall be filed before..... November 15, 1985

Application of water to beneficial use shall be made on or before..... October 15, 1986

Proof of the application of water to beneficial use shall be filed on or before..... November 15, 1986

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....  
 Completion of work filed.....  
 Proof of beneficial use filed.....  
 Cultural map filed.....  
 Certificate No..... Issued.....  
 Recorded..... Bk..... Page.....

IN TESTIMONY WHEREOF, I, PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of October

A.D. 1984

*Peter G. Morros*  
State Engineer

DEC 15 1984  
STATE ENGINEER