

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 JUN 7 1976

Returned to applicant for correction JUL 26 1976 AUG 4 1976

Corrected application filed AUG 18 1976 Map filed JUL 14 1976

The applicant Tony and Beulah Testolin, Jr. c/o Boyack Surveying, Inc.

582 1/2 West Cedar St. of Elko
Street and No. or P.O. Box No. City or Town

Nevada 89801, hereby make application for permission to change the
State and Zip Code No.

Point of Diversion

of water heretofore appropriated under Permit #24233

(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 6.0 cfs
Second feet, acre feet.

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

4. The water heretofore used for Irrigation and Domestic
If for stock state number and kind of animals.

5. The water is to be diverted at the following point SE 1/4 NE 1/4 Section 22, T.15N., R.41E.,
MDM at a point from which the N 1/4 corner of Section 24, T.15N.,
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.
R.41E., MDM bears N. 73° 11' 43" E 8330.52 feet.

6. The existing point of diversion is located within SW 1/4 NE 1/4 Section 23, T.15N., R.41E.,
MDM or at a point from which the N 1/4 corner of Section 24, T.15N.,
If point of diversion is not changed, do not answer.
R.41E., MDM bears N. 62° 31' E., a distance of 4575.09 feet.

7. Proposed place of use NE 1/4 SE 1/4, 10.4 acres (meadow); NW 1/4 SE 1/4 1.9 acres (meadow);
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
NW 1/4 SE 1/4 34.0 acres (harvest); SW 1/4 SE 1/4 5.5 acres (harvest); SE 1/4 SW 1/4
2.8 acres (harvest); NE 1/4 SW 1/4 17.6 acres (harvest); SE 1/4 NW 1/4 0.5 acres
(harvest). Total 72.7 acres in Section 22, T.14N, R.41E. MDM.

8. Existing place of use SE 1/4 NW 1/4, S 1/2 Section 22, N 1/2 NE 1/4 Section 28, N 1/2 NW 1/4,
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.
NW 1/4 NE 1/4 Section 27, all in T.15N., R.41E., MDM

9. Use will be from January 1 to December 31 of each year.
Day and Month Day and Month

10. Use has been from January 1 to December 31 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.) concrete headgate earth dams,
State manner in which water is to be diverted, whether by dam or other works,
ditches with laterals
whether through pipes, ditches, flumes, or other conduits.

- 12. Estimated cost of works.....\$3,000.....
- 13. Estimated time required to construct works.....completed.....
- 14. Estimated time required to complete the application of water to beneficial use.....1 yr.....
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Point of diversion and place of use is in the same place as existed when application was made, but the tie to the N $\frac{1}{4}$ corner of Section 24, T.15N., R.41E., MDM was in error.

Compared.....bs/sk.....lk/bs..... Applicant.....Tony and Beulah Testolin, Jr.
 By.....s/ Alan S. Boyack.....
 Alan S. Boyack-Boyack Surveying, Inc.
 582 $\frac{1}{2}$ West Cedar St.
 Elko, Nevada 89801
 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 granted under Permit 24233 is issued subject to the terms and conditions imposed in said Permit 24233 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained 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.....6.0.....cubic feet per second but not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Actual construction work shall begin on or before.....February 10, 1977
 Proof of commencement of work shall be filed before.....March 10, 1977
 Work must be prosecuted with reasonable diligence and be completed on or before.....February 10, 1977
 Proof of completion of work shall be filed before.....March 10, 1977
 Application of water to beneficial use shall be made on or before.....February 10, 1977
 Proof of the application of water to beneficial use shall be filed on or before.....March 10, 1977
 Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....FEB 28 1977
 Completion of work filed.....MAR 6 1977
 Proof of beneficial use filed.....MAR 28 1977
 Cultural map filed.....
 Certificate No. 9220 Issued 4-27-78
 Recorded.....Bk.....Page.....

IN TESTIMONY WHEREOF, I.....ROLAND D. WESTERGARD,
 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 10th day of December

A.D. 19.....76.....

Roland D. Westergard
 State Engineer