

AMENDED

assigned on error **ASSIGNED**
Serial No. **35227**

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..... **MAR 28 1978**

Returned to applicant for correction..... **JUN 20 1978**

Corrected application filed..... **JUN 28 1978** Map filed..... **MAR 28 1978**

The applicant..... **Ether W. Westmoreland**

P.O. Box F of Winnemucca
Street and No. or P.O. Box No. City or Town

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

of water heretofore appropriated under proof of appropriation filed Sept. 1977 #02973
(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 underground
Name of stream, lake or other source.

2. The amount of water to be changed 0.3845 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 in the NE 1/4 SE 1/4 section 14, T35N, R37E, MDB&M, or a point from which the east 1/2 corner of said section 14 bears N 22 degrees 12' E, 1058.4 feet
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
If point of diversion is not changed, do not answer.

7. Proposed place of use see attached sheet
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use see attached sheet
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

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.) well, pump, pipelines, ditches and sprinkling system
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 12. Estimated cost of works..... excess of \$1000
- 13. Estimated time required to construct works..... 1 year
- 14. Estimated time required to complete the application of water to beneficial use..... 2 years
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Install a circular sprinkling system

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Compared..... lp/ga..... is/se..... Applicant Ether W. Westmoreland

By s/ J.R. Caldwell

P.O. Box 432

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 place of use of a portion of the waters of an underground source as heretofore applied for under Proof 02973 is issued subject to the terms and conditions imposed under any future adjudication for said Proof 02973 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. 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 changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.3845..... 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.....
- Proof of commencement of work shall be filed before.....
- Work must be prosecuted with reasonable diligence and be completed on or before..... August 19, 1987
- Proof of completion of work shall be filed before..... September 19, 1987
- Application of water to beneficial use shall be made on or before..... August 19, 1988
- Proof of the application of water to beneficial use shall be filed on or before..... September 19, 1988
- Map in support of proof of beneficial use shall be filed on or before..... September 19, 1988

Commencement of work filed.....

Completion of work filed..... JUL 30 1987

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 19th day of August,
 A.D. 1986

[Signature]
 State Engineer

7.	NW $\frac{1}{4}$ SW $\frac{1}{4}$	14	35N,	37E,	5.17
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	40.00
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	40.00
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	23.16
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	15.33
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	27.27
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	27.27
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	0.14
					<u>178.34</u>

Existing Place of Use

8.	Subdivision	Section	Township	Range	Acres	Culture
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	14	35N	37E	28.53	
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	40.00	
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	40.00	
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	23.16	
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	29.67	
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	"	"	"	8.18	
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	8.18	
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	"	"	"	0.62	
					<u>178.34</u>	