

AMENDED

**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..... **JUL 17 1978**Returned to applicant for correction..... **OCT 13 1978**Corrected application filed..... **DEC 5 1978**..... Map filed **DEC 5 1978** under 35632The applicant **Richard M. Swallow and Vesta C. Swallow (husband and wife)****Spring Valley Route #5, Box 23 of Ely**
Street and No. or P.O. Box No. City or Town**Nevada 89301**, hereby make application for permission to change the
State and Zip Code No. the place of useof water heretofore appropriated under **permit no. 29221**

(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 source**
Name of stream, lake or other source.2. The amount of water to be changed **1.45 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 SE $\frac{1}{4}$ NW $\frac{1}{4}$ section 26, T13N, R67E,****MDB&M, at a point from which the SW corner of said section 26 bears**
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
S 30° 09' W, a distance of 4299.60 feet.
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 **the W $\frac{1}{2}$ NW $\frac{1}{4}$, portion of SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 26, the N $\frac{1}{2}$**
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.**NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 27, and the NE $\frac{1}{4}$ of section 34, all in T13N,**
R67E, MDB&M, 390.28 acres.8. Existing place of use **the SW $\frac{1}{4}$, W $\frac{1}{2}$ NW $\frac{1}{4}$, portion of SE $\frac{1}{4}$ NW $\frac{1}{4}$ of section 26, the**
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.**N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$ of section 27, all in T13N, R67E, MDB&M, 390.28 acres.**9. Use will be from **January 1st** to **December 31st** of each year.
Day and Month Day and Month10. Use has been from **January 1st** to **December 31st** 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.) **electric motor, deep well pump,**
State manner in which water is to be diverted, whether by dam or other works,
aluminum irrigation pipe and wheeled sprinkler system
whether through pipes, ditches, flumes, or other conduits.

- 12. Estimated cost of works.....\$11,000.00.....
- 13. Estimated time required to construct works.....complete.....
- 14. Estimated time required to complete the application of water to beneficial use.....complete.....
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.
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Compared.....lp/bl..... Applicant.....Richard M. Swallow.....
 Vesta C. Swallow
 By.....s/ Henry C. Conrad.....
 Henry C. Conrad
 P.O. Box 1147
 McGill, Nevada 89318

DENIAL OF STATE ENGINEER deny

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:
 Applications 35632, 35633, 35634, 51564, 51565, 51566 and 51567 are herewith denied on the grounds that the applicant has not submitted the information requested by the State Engineer's office and therefore the granting of said applications without the additional information requested would not be in the public interest.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

- 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.....
- Proof of completion of work shall be filed before.....
- Application of water to beneficial use shall be made on or before.....
- Proof of the application of water to beneficial use shall be filed on or before.....
- 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.....8th.....day of.....January.....
 D. 19.....90.....
 State Engineer