

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 FEB 21 1979

Returned to applicant for correction

Corrected application filed Map filed Jan 31, 1977 under 28340

The applicant Cecil R and May D. Martin

P.O. Box 501 of Winnemucca Nevada 89445

hereby make application for permission to change the place of use

of water heretofore appropriated under #31047

(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 Rose Creek Name of stream, lake or other source.

2. The amount of water to be changed 4.0 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 NW 1/4 SE 1/4 of Sec. 2, T34N, R36E, MDM. or at a point from which the NE corner of said Sec. 2 bears N21° 15'E, 3590.00 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 N 1/2 of Sec. 24, lying South of the southerly right of way of Old Hwy. 40, and north of the northerly right of way of the Southern Pacific Railroad. 168 acres, T35N, R36E Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use S 1/2 of Sec. 23, SE 1/4 of NE 1/4, all lying south of the southerly right of way of old Hwy. 40 and excepting there from the Southern Pacific Railroad right of way lying in the S 1/2 of Sec. 23, T35N, R36E. Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

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

10. Use has been from 1 January to 31 December 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.) rock dam & pipeline 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.....\$25,000.00.....
- 13. Estimated time required to construct works.....3 years.....
- 14. Estimated time required to complete the application of water to beneficial use.....5 years.....
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Map to support this application has been filed January 1977 under 28340.

Compared lp/dh dcb/br Applicant Cecil R. and May D. Martin  
 Bys/ C.H. Ketcham, Agent  
Ketcham Land Surveyors  
106 E. Adams  
Carson City, Nevada 89701  
 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 Rose Creek as heretofore granted under Permit 31047 is issued subject to the terms and conditions imposed in said Permit 31047 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 place of use of this permit is limited to 168 acres as described in Item 7 of the application.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.5 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 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 September 17, 1984

Proof of completion of work shall be filed before October 17, 1984

Application of water to beneficial use shall be made on or before September 17, 1986

Proof of the application of water to beneficial use shall be filed on or before October 17, 1986

Map in support of proof of beneficial use shall be filed on or before October 17, 1986

Commencement of work filed OCT 24 1984  
 Completion of work filed APR 01 1998  
 Proof of beneficial use filed APR 01 1998  
 Cultural map filed APR 01 1998  
 Certificate No. 14973 Issued JUL 13 1998  
 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 25th day of JANUARY,

A.D. 1984  
  
 State Engineer