

39554

Serial No.

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 NOV 7 1979

Returned to applicant for correction.....

Corrected application filed..... Map filed NOV 7 1979 under 39551

The applicant Ermyle R. Cooper

c/o Chilton Engineering of 421 Court Street

Street and No. or P.O. Box No.

City or Town

Elko, NV 89801 hereby make s. application for permission to change the

State and Zip Code No.

point of diversion and place of use

of water heretofore appropriated under 35011

(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, underground, spring or other source.

2. The amount of water to be changed 1.25 cfs

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation & Domestic

Irrigation, power, mining, industrial, etc.

If for stock state number and kind of animals.

4. The water heretofore used for Irrigation & Domestic

Irrigation, power, mining, industrial, etc.

If for stock state number and kind of animals.

5. The water is to be diverted at the following point the SE 1/4 SW 1/4 of Sec. 4, T. 21 N., R. 53 E.,

M.D.M., or at a point from which the S 1/4 corner of said Sec. 4 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. 44°56' E., 1827 feet.

stated.

6. The existing point of diversion is located within SE 1/4 SW 1/4 Sec. 4, T. 21 N., R. 53 E.,

M.D.M., or at a point from which the S 1/4 corner of said Sec. 4 bears

If point of diversion is not changed, do not answer.

S. 45°00' E., 70.7 feet.

7. Proposed place of use 148 acres in the SW 1/4 of Sec. 4, T. 21 N., R. 53 E.,

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

M.D.M.

8. Existing place of use 33 acres in the NW 1/4 SW 1/4 and 5 acres in the NE 1/4 SW 1/4, and

Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

36 acres in the SW 1/4 SW 1/4 all in Sec. 4, T. 21 N., R. 53 E., M.D.M.

9. Use will be from Jan. 1 to Dec. 31 of each year.

Month and Day

Month and Day

10. Use has been from Jan. 1 to Dec. 31 of each year.

Month and Day

Month and Day

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.) drilled & cased well equipped with

State manner in which water is to be diverted, whether by dam or other works,

deep well turbine and center pivot sprinkler system.

whether through pipes, ditches, flumes, or other conduits.

- 12. Estimated cost of works.....\$40,000
- 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.

Compared lp/bl gk/ja Applicant Ermyle R. Cooper
 By s/William A. Nisbet, Agent
 421 Court Street
 Elko, NV 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 an underground source as heretofore granted under Permit 35011 is issued subject to the terms and conditions imposed in said Permit 35011 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 1.25 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 January 24, 1981
- Proof of commencement of work shall be filed before February 24, 1981
- Work must be prosecuted with reasonable diligence and be completed on or before January 24, 1982
- Proof of completion of work shall be filed before February 24, 1982
- Application of water to beneficial use shall be made on or before January 24, 1983
- Proof of the application of water to beneficial use shall be filed on or before February 24, 1983
- Map in support of proof of beneficial use shall be filed on or before February 24, 1983

Commencement of work filed JAN 30 1981
 Completion of work filed JAN 30 1981
 Proof of beneficial use filed OCT 20 1986
 Cultural map filed OCT 20 1986
 Certificate No. 11806 Issued APR 6 1987

IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 24th day of JULY
 A.D. 19 80
 William J. Newman
 State Engineer