



**THE STATE OF NEVADA**

**APPLICATION TO CHANGE POINT OF DIVERSION,  
MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

Name of applicant: **ETHER W. WESTMORELAND**  
Source: **THOMAS CREEK**  
Basin: **GRASS VALLEY**  
Manner of Use: **IRRIGATION**  
Period of Use: **March 1st to November 15th**  
Priority Date: **02/19/1958**

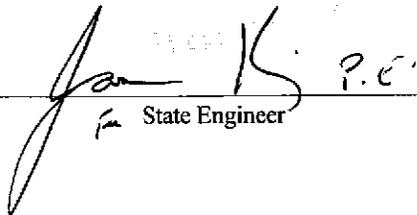
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**DENIAL OF STATE ENGINEER**

This application is hereby denied on the grounds that the Applicant has not submitted the information requested by the State Engineer's Office, and that without this information granting of the application would threaten to prove detrimental to the public interest.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the  
seal of my office, this 2nd day of February, A.D. 2009

  
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State Engineer

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 SEP 10 1980

Returned to applicant for correction FEB 6 1981

Corrected application filed FEB 13 1981 Map filed FEB 13 1981 under 42410

The applicant Ether W. Westmoreland

Box 5 of Winnemucca Street and No. or P.O. Box No. City or Town

Nv 89445 State and Zip Code No. hereby make application for permission to change the

Point of Diversion and Place of Use of a portion

of water heretofore appropriated under App. 17492, Cert. 5939

(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 Thomas Creek (aka Santa Rosa Creek)

Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed 2.06 of 5.0 cfs

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

3. The water to be used for irrigation

Irrigation, power, mining, industrial, etc.

If for stock state number and kind of animals.

4. The water heretofore used for irrigation

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 in the SW 1/4 Sec. 24, T. 35N., R. 37E.,

MDB&M; or a point from which the S 1/4 corner of said Sec. 24 bears S. 16° 15' W.

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

547 ft.

stated.

6. The existing point of diversion is located within NE 1/4 NW 1/4 Sec. 25, T. 35N., R. 37E. MDB&M; or

a point from which the N 1/4 corner of said Sec. 25 bears N. 85° 15' E. 130 ft.

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

7. Proposed place of use in the SW 1/4 Sec. 24, T. 35N., R. 37E. MDB&M; (30 acres in

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

NW 1/4 SW 1/4, 31.87 acres in NE 1/4 SW 1/4, 31.76 acres in SE 1/4 SW 1/4 and 36.06 acres in

SW 1/4 SW 1/4

8. Existing place of use W 1/2 Sec. 25, T. 35N., R. 37E. MDB&M

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

9. Use will be from March 1 to Nov. 15 of each year.

Month and Day

Month and Day

10. Use has been from March 1 to Nov. 15 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.) ditches

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

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

