

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 **APR 1 1969**

Returned to applicant for correction

Corrected application filed Map filed **APR 1 1969**

The applicant Nevada Fish and Game Commission of P.O. Box 10678, Reno, County of Washoe

State of Nevada 89510, hereby makes application for permission to change the point of diversion and place of use

of water heretofore appropriated under Permit 24455 (Proof 02443 Kingston Creek Decree)
(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 Kingston Creek
(Name of stream, lake or other source.)
2. The amount of water to be changed 0.82 c.f.s., not to exceed 162.80 ac.ft./annum.
(Second feet, acre feet.)
3. The water to be used for wildlife propagation and recreation, reservoir storage
(If for stock state number and kind of animals.)
4. The water heretofore used for same
(If for stock state number and kind of animals.)
5. The water is to be diverted at the following point NW¹/₄ SE¹/₄ Sec. 20, T. 16 N., R. 43 E., M.D.B.&M. or at a point from which the E¹/₄ corner of said Sec. 20 bears S. 48° 34' 52" E., 2242.00 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 NE¹/₄ SE¹/₄ Sec. 20, T. 16 N., R. 43 E., M.D.B.&M. from which point the E¹/₄ corner of said Sec. 20 bears N. 83° 41' E., 521.57 ft.
(If point of diversion is not changed, do not answer.)
7. Proposed place of use within portions of SE¹/₄ SW¹/₄ SW¹/₄ SE¹/₄ Sec. 17; S¹/₂ NE¹/₄, NE¹/₄ SE¹/₄ Sec. 20, T. 16 N., R. 43 E., M.D.B.&M. 200 acres more or less.
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use within portions of SE¹/₄ SW¹/₄, SW¹/₄ SE¹/₄ Sec. 17, W¹/₂ NE¹/₄, SE¹/₄ NE¹/₄, NE¹/₄ SE¹/₄ Sec. 20, T. 16 N., R. 43 E., M.D.B.&M. 240 acres more or less.
(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.
(Month) (Month)
10. Use has been from same to same of each year.
(Month) (Month)

11. Description of proposed works. Two earth dams, the upper dam being the point of diversion being 31 ft. high including freeboard, 420 ft. long, 56,000 c.y. of ripraped embankment, emergency spillway around north abutment, and the adjacent lower dam being 22 ft. high, including freeboard, 510 ft. long, 21,000 c.y. of ripraped embankment, emergency spillway around north abutment.

(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)

(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 \$150,000.00

13. Estimated time required to construct works 12 months

14. Remarks. This water will be utilized filling and maintaining a stable water level in one or both of two reservoirs. The upper reservoir storage capacity being 192 acre feet and the lower reservoir storage capacity being 120.5 acre feet, a total of 312.5 acre feet. The 149.3 ac.ft. difference between this application and the total storage capacity is to be applied for under separate application.

Compared hs/jw dc/js Applicant Nevada Fish and Game Commission

By s/ Frank W. Groves
Frank W. Groves, Director
P. O. Box 10678
Reno, Nevada 89510

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 is issued subject to all existing rights on the source. This permit to change the point of diversion and place of use of Permit 24455, filed to change the waters of Kingston Creek as heretofore appropriated under Proof 02443, as appears in the Kingston Creek Decree 3073, Page 18, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the proposed change herein.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.82 cubic feet per second, but not to exceed 162.80 acre-feet per annum.

Actual construction work shall begin on or before January 2, 1970
Proof of commencement of work shall be filed before February 2, 1970
Work must be prosecuted with reasonable diligence and be completed on or before January 2, 1971
Proof of completion of work shall be filed before February 2, 1971
Application of water to beneficial use shall be made on or before January 2, 1974
Proof of the application of water to beneficial use shall be filed on or before February 2, 1974
Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed Jan 29 1970
Completion of work filed FEB 13 1974
Proof of beneficial use filed
Cultural map filed
Certificate No. 2212 Issued 4-12-74
Recorded 4-17-74 Bk 123 Page 177

IN TESTIMONY WHEREOF, I ROLAND D. WESTERGARD, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 2nd day of July

A.D. 19 69

Roland D. Westergard
State Engineer



Harvey County