

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 20 1970**

Returned to applicant for correction

Corrected application filed Map filed **AUG 17 1970** under 25719

The applicant Area West, Incorporated %Chilton Engineering 421 Court of Elko, County of _____ State of Nevada, hereby makes application for permission to change the Point of Diversion, Manner & Place of Use of water heretofore appropriated under Proof 00452, Humboldt River Adjudication

(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 Spring Creek & Tributaries
(Name of stream, lake or other source.)
2. The amount of water to be changed 168 a.f. 1.36 c.f.s.
(Second feet, acre feet.)
3. The water to be used for Recreation-Reservoir No. 1
(If for stock state number and kind of animals.)
4. The water heretofore used for Irrigation, Stockwater & Domestic
(If for stock state number and kind of animals.)
5. The water is to be diverted at the following point NW¹/₄ NE¹/₄, Sec. 17, T33N, R57E, MDM, at a point from which the NW corner of said Section 17 bears N 74° 52' 28" W 3222.85 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 NW¹/₄ SW¹/₄, Sec. 16, T33N, R57E, MDM, at a point from which the NW corner of said Section 16 bears N 19° 28' 05" W 2964.48 feet.
(If point of diversion is not changed, do not answer.)
7. Proposed place of use Portions of N¹/₂ NE¹/₄, SE¹/₄ NE¹/₄ of Section 17 and the SE¹/₄ SE¹/₄ of Sec. 8, T 33 N., R. 57 E., MDM, totaling 32 acres. This is also the land to be inundated by impounded waters.
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use Portions of SE¹/₄, Sec. 8, SW¹/₄ SW¹/₄, Sec. 9, N¹/₂ NE¹/₄, SE¹/₄ NE¹/₄, Sec. 17, T 33 N., R 57 E, MDM, totaling 56.09 acres as indicated on map.
(Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.)
9. Use will be from April 15 to August 15 of each year.
(Month) (Month)
10. Use has been from April 15 to August 15 of each year.
(Month) (Month)

11. Description of proposed works.

Earth fill dam approximately 17 feet high and 600 feet long with spill
(Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)
way and control structure for maintaining 168 a.f. of impounded water
(State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.)
inundating 32 acres of land. Plans and specifications will be submitted
as required.

12. Estimated cost of works.....\$20,000.00.....

13. Estimated time required to construct works..... 2 years.....

14. Remarks.....Water Right being changed will be supplemented with a well,
Application #25719, which will be used to maintain water level in
reservoir during the non irrigation season.

Applicant's Address: 492 Fifth Street, Elko, Nevada 89801
Compared.....md/jw.....Applicant Area West, Incorporated
PRO: 11/5/70 BY-Edward J. & Ethyln Harsh

Pro. overruled 10-22-71, see Ruling 1802 By.....s/ Mark Chilton
Agent
421 Court Elko, Nevada 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, manner and place of use of the waters of Spring Creek and Tributaries as heretofore granted under the Humboldt River Decree is issued subject to the terms and conditions imposed in said Decree and with the understanding that no other rights on the source will be affected by the change proposed herein. This permit is further issued subject to the conditions set forth in the State Engineer's ruling dated October 22, 1971.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.69.....cubic feet per second.....but not to exceed
.168.0 acre feet per season.....

Actual construction work shall begin on or before..... April 26, 1972.....

Proof of commencement of work shall be filed before..... May 26, 1972.....

Work must be prosecuted with reasonable diligence and be completed on or before..... April 26, 1973.....

Proof of completion of work shall be filed before..... May 26, 1973.....

Application of water to beneficial use shall be made on or before..... April 26, 1976.....

Proof of the application of water to beneficial use shall be filed on or before..... May 26, 1976.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed..... JUN 22 1972
Completion of work filed..... JUN 22 1972
Proof of beneficial use filed..... AUG 24 1987
Cultural map filed.....
Certificate No. 12486 Issued AUG 13 1980
Recorded..... Bk..... Page.....

IN TESTIMONY WHEREOF, I, Roland D. Westergard,
State Engineer of Nevada, have hereunto set my hand and the seal of
my office, this 26th day of October

A.D. 19 71

Roland D. Westergard
State Engineer