

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 16 1974

Returned to applicant for correction SEP 3 1974

Corrected application filed SEP 12 1974 Map filed SEP 12 1974

The applicant Fred D. & Lynn West, Grant & Stella Watson, Arden J. Bodell, Jay L. Dahl, Dan C. & Sally J. Simons, and J. Reed Tuft c/o Chilton Engineering 421 Court of Elko Nevada 89801

hereby make application for permission to change the Place and Manner of Use

of water heretofore appropriated under Permit #11074 (Certificate #3936)

(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 Johnson spring and creek Name of stream, lake or other source.

2. The amount of water to be changed 2.0 c.f.s. Second feet, acre feet.

3. The water to be used for Municipal and Domestic If for stock state number and kind of animals.

4. The water heretofore used for Culinary and Domestic If for stock state number and kind of animals.

5. The water is to be diverted at the following point SW 1/4 SE 1/4, Sec. 28, T.36N., R.66E., M.D.M. at a point from which the SW corner of said Section 28 bears S. 85 degrees 58' W. 2672.55 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 Sections 7, 8, 9, 10, 15, 16, 17 & 18, T.33N., R.70E., M.D.M. and Sections 17, 18, N 1/2, 19 and N 1/2, 20, T.1S., R.19W., S.L.B.&M. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use S 1/2 Section 17, SE 1/4, Section 18, NE 1/4 Section 19 and N 1/2 Section 20, T.1S., R.19W., S.L.B.&M. 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. Day and Month Day and Month

10. Use has been from January 1 to December 31 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.) Water is diverted from the spring by means of a diversion box; thence conveyed by a 12 inch pipeline 152,153 feet to a 1,000,000 gallon reservoir; thence by 12 inch pipeline 18,367 feet to a 480,000 gallon storage tank; thence pumped through the distribution systems at West Wendover, Nevada-Wendover, Utah. 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 \$200,000
13. Estimated time required to construct works 5 years
14. Estimated time required to complete the application of water to beneficial use 5-10 years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This water will be used in the combined municipal systems of the unincorporated Town of West Wendover, Nevada and Town of Wendover, Utah. This water is to be co-mingled with Rights of the Western Pacific Railroad serving Wendover,

Utah and Nevada, Certificates #7784, #7785, #573, #2830, #2831, #2832, #2833.

Map filed in support of #11074 are made a part of this Application in order to depict the alignment of the pipeline.

Compared jw/bs lk/ga Applicant Fred D. & Lynn West, Grant & Stella Watson, Arden J. Bodell, Jay L. Dahl, Dan C. & Sally J. Simons, & J. Reed Tuft
 Pro. 10/30/74 by R. J. Beaumont Dan C. & Sally J. Simons, & J. Reed Tuft
 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 place and manner of use of the waters of Johnson Spring and Creek as heretofore granted under Permit 11074, Certificate 3936 is issued subject to the terms and conditions imposed in said Permit 11074, Certificate 3936 and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second

Actual construction work shall begin on or before December 25, 1975

Proof of commencement of work shall be filed before January 25, 1976

Work must be prosecuted with reasonable diligence and be completed on or before December 25, 1976

Proof of completion of work shall be filed before January 25, 1977

Application of water to beneficial use shall be made on or before December 25, 1979

Proof of the application of water to beneficial use shall be filed on or before January 25, 1980

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

Commencement of work filed FEB 9 1976
 Completion of work filed FEB 7 1977
 Proof of beneficial use filed 5-3-90
 Cultural map filed
 Certificate No. 12918 Issued AUG 05 1991
 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 25th day of June

A.D. 19 75

Roland D. Westergard
 State Engineer