

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

JAN 17 1980

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

JAN 17 1980 under 40331

Map filed.....

The applicant Unincorporated Town of Montello, Nevada c/o Boyack Surveying, Inc.

515 South Fifth Street, of Elko,
Street and No. or P.O. Box No. City or Town

Nevada 89801, hereby make application for permission to appropriate the public
State and Zip Code No.

waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Killian Springs No. 1
Name of stream, lake or other source.

2. The amount of water applied for is 1 cfs second-foot
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet..... acre-feet

3. The water to be used for Irrigation
Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated) 269 acres

(b) Stockwater (state number and kinds of animals to be watered).....

(c) Other use (describe fully under "No. 12. Remarks").....

(d) Power:

(1) Horsepower developed.....

(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point: Lot 2 Section 33, T 38 N, R 70 E, MDB & M., at a point from which the NE Corner of said Section
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.
33 bears N 43° 33' 20" E 1355.05 feet.

6. Place of use Portion of NE1/4 NE1/4 SE1/4 Section 20, T 39 N, R 69 E, MDB & M. Portion of N1/2, N1/2 SW1/4 Section 17, T 39 N, R 69 E, MDB & M.
Describe by legal subdivision, if on unsurveyed land it should be so stated.

7. Use will begin about March 1 and end about October 31, of each year.
Month and Day Month and Day

8. 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.) Collection lines at Killian Springs No. 1 then 63,959.80 feet of pipeline to a 350,000 gallon storage tank in the Town of Montello, then excess water is piped to the Place of Use for Irrigation.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 9. Estimated cost of works \$20,000
- 10. Estimated time required to construct works 3 years
- 11. Estimated time required to complete the application to beneficial use 5 years
- 12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This filing is on the excess waters supplying the Town of Montello and is to be used for irrigation only when there is an excess. For additional information see maps filed under application 8934. This is a filing on the excess waters of Killian Springs No. 1.

Applicant Unincorporated Town of Montello, Nevada

By s/ Alan S. Boyack
 Alan S. Boyack
 515 South Fifth Street
 Elko, Nevada 89801

Compared bl/ jk gk/bc

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. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. 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 appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, but not to exceed a seasonal 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 September 13, 1981
- Proof of commencement of work shall be filed before October 13, 1981
- Work must be prosecuted with reasonable diligence and be completed on or before September 13, 1982
- Proof of completion of work shall be filed before October 13, 1982
- Application of water to beneficial use shall be made on or before September 13, 1985
- Proof of the application of water to beneficial use shall be filed on or before October 13, 1985
- Map in support of proof of beneficial use shall be filed on or before October 13, 1985

Commencement of work filed
 Completion of work filed OCT 20 1983
 Proof of beneficial use filed
 Cultural map filed
 Certificate No. Issued
 Abrogated By 65093 160

IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN
 State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of MARCH
 A.D. 1981
 William J. Newman
 State Engineer