

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 JAN 17 1980

Returned to applicant for correction _____

Corrected application filed _____ Map filed JAN 17 1980 under 40331

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 hereby make^s application for permission to change the
State and Zip Code No.
 Point of Diversion, Manner and Place of Use.

of water heretofore appropriated under Certificate 1768 - Appln. No. 8934

(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 Parson Springs
Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed 0.15 cfs
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore used for General Railroad and Domestic
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 Lot 3 Section 28, T 38 N, R 70 E, MDB & M.,
at a point from which the N1/4 Corner of said Section 28 bears N 61° 21' 34" 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 stated.
1264.75 feet.

6. The existing point of diversion is located within Lot 11 Section 21 and Lot 2 Section 28, T 38N,
R 70 E, MDB & M, (no tie given).
If point of diversion is not changed, do not answer.

7. Proposed place of use N1/2; N1/2 SW1/4; SW1/4 SW1/4; NW1/4 SE1/4 Section 17, T 39 N,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
R 69 E, MDB & M., (that portion of the above lying northerly of the southerly
Right-of-Way Line of the Southern Pacific Railroad.

8. Existing place of use NE1/4 SW1/4 Section 17, T 39 N, R 69 E, MDB & 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.
Month and Day Month and Day

10. Use has been from January 1 to December 31 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.)
Works of diversion consist of 4 concrete boxes, from which 848 feet of 4 inch cast iron pipe and 487 feet of 2 inch galvanized iron pipe
State manner in which water is to be diverted, whether by dam or other works,
convey the water into a concrete collection box, located in Lot 3, Section 28, T38N,
whether through pipes, ditches, flumes, or other conduits. R70E, then in common with the water of Garden Springs,
water is conveyed in a westerly direction thru 6913 feet of 4 inch case iron pipe to a
junction box on the Main Killian Springs Pipe Line, located in NW1/4 NE1/4 Section 29,
T. 38N, R70E, and there co-mingled with the water of Killian Springs and the water from
springs in the State of Utah, and conveyed by means of 2528 feet of 6 inch pipe and
50,530 feet of 8 inch pipe to a 350,000 gallon steel tank in Montello, Nevada located
in the NE1/4 SW1/4 Section 17, T39N, R69E, MDB&M. From the steel tank the water is dis-
tributed by means of pipe lines to the Town of Montello, Nevada.

- 12. Estimated cost of works \$50,000
- 13. Estimated time required to construct works 3 years
- 14. Estimated time required to complete the application of water to beneficial use 5 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 filing is for Municipal Use for the Town of Montello, Nevada. For additional information see maps filed under application 8934. Annual consumptive use is 10,000,000 gallons.

Compared by jk gk/bc Applicant Unincorporated Town of Montello, Nevada

By s/Alan S. Boyack
 Alan S. Boyack
 515 South Fifth Street
 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 of use, and place of use of the waters of Parson Springs as heretofore granted under Permit 8934, Certificate 1768, is issued subject to the terms and conditions imposed in said Permit 8934, Certificate 1768, 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 total combined duty of water under this permit and Permits 40335, 40336, and 40337 shall not exceed 10.0 million gallons annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.15 cubic feet per second, but not to exceed 10.0 million gallons annually.

- Actual construction work shall begin on or before October 3, 1981
- Proof of commencement of work shall be filed before November 3, 1981
- Work must be prosecuted with reasonable diligence and be completed on or before October 3, 1982
- Proof of completion of work shall be filed before November 3, 1982
- Application of water to beneficial use shall be made on or before October 3, 1985
- Proof of the application of water to beneficial use shall be filed on or before November 3, 1985
- Map in support of proof of beneficial use shall be filed on or before

Commencement of work filed
 Completion of work filed NOV 15 1982
 Proof of beneficial use filed
 Cultural map filed
 Certificate No. Issued

IN TESTIMONY WHEREOF, I WILLIAM J. NEWMAN
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 3rd day of APRIL
 A.D. 19 81
 William J. Newman
 State Engineer