

~~AMENDED~~

Nº 43447

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

Date of filing in State Engineer's Office..... APR 2 1981  
Returned to applicant for correction..... JUN 16 1981  
Corrected application filed..... AUG 6 1981  
Map filed..... AUG 6 1981

The applicant Unincorporated Town of Montello, Nevada  
Elko County Court House, 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 incorpora-  
tion; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Montello Springs  
Name of stream, lake or other source.
2. The amount of water applied for is 4.0 cfs second-feet  
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 Municipal  
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).....
  - (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: NW¼ NE¼ of Section 7, T.39N.,  
R.68E., M.D.B & M., at a point from which the NE Corner of said Section 7  
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,  
bears N 66° 08' 15" E 2510.40 feet  
it should be stated.
6. Place of use N½, N½ SW¼, SW¼ SW¼, NW¼ SE¼, Section 17, T.39N., R.69E., MDB&M.,  
Describe by legal subdivision, if on unsurveyed land it should be so stated.  
(That portion of the above lying northerly of the southerly right-of-way  
line of the Southern Pacific Railroad).
7. Use will begin about January 1 and end about December 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.) 7 miles of pipeline to a 350,000  
gallon storage tank, then distribution lines throughout the Town of Montello.  
State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

- 9. Estimated cost of works ..... \$30,000
- 10. Estimated time required to construct works ..... 3 years  
If well completed, describe works.
- 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 for Municipal Use for the Town of Montello and  
 these waters are to be co-mingled with all prior rights.

By /s/ Alan S. Boyack  
Signature, applicant or agent  
 Alan S. Boyack  
 515 South Fifth Street  
 Elko, Nevada 89801

Compared vjw/bl ..... bt/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. It is understood that the 4.0 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. 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 ..... 4.0 ..... cubic feet per second

Actual construction work shall begin on or before ..... N/A

Proof of commencement of work shall be filed before ..... N/A

Work must be prosecuted with reasonable diligence and be completed on or before ..... January 26, 1983

Proof of completion of work shall be filed before ..... February 26, 1983

Application of water to beneficial use shall be made on or before ..... January 26, 1986

Proof of the application of water to beneficial use shall be filed on or before ..... February 26, 1986

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

Commencement of work filed.....  
 Completion of work filed..... FEB 18 1983  
 Proof of beneficial use filed.....  
 Cultural map filed.....  
 Certificate No..... Issued.....

IN TESTIMONY WHEREOF, I..... PETER G. MORROS  
 State Engineer of Nevada, have hereunto set my hand and the seal of  
 my office, this..... 26th day of..... JANUARY  
 A.D. 19 82.

*(Signature)*  
 State Engineer