Serial No. 45815

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 JUN 16 1982

Returned to applicant for correction AUG 16 1982

Corrected application filed _____ Map filed SEP 3 1982 under 45798

The applicant White Pine County

P O Box 659 (Street and No. or P.O. Box No.) of Ely (City or Town)

Nevada 89301 (State and Zip Code No.) hereby make~~s~~ application for permission to change ~~the~~

a portion of the Point Of Diversion and Place Of Use.
(Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Application No. 43436
(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 Underground Sources - Well No. SP 2-13
(Name of stream, lake, underground spring or other source.)

2. The amount of water to be changed 1.0 cfs
(Second feet, acre feet. One second foot equals 448.83 gallons per minute.)

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

4. The water heretofore permitted for Industrial Purposes
(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 in the SW¼ SW¼ of Section 26, T.14 N., R.66 E., M.D.B.& M., whence the Southwest Corner of said Section 26 bears S.41°06'53"W., 374.53 feet distant.
(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 permitted point of diversion is located within the NE¼ NE¼ of Section 11, T.14 N., R.66 E., M.D.B.& M., whence the Northeast Corner of Section 2, T.14 N., R.66 E., M.D.B.& M., bears N.04°01'18"E., 5694.07 feet distant.
(If point of diversion is not changed, do not answer.)

7. Proposed place of use Sections 13, 24 and 25, T.13 N., R.66 E., M.D.B.& M., Sections 17, 18, 19; N½, N½ S½, SE¼ SE¼, SW¼ SW¼ of Section 20, W½ W½ of Section 29; and all of Section 30, T.13 N., R.67 E., M.D.B.& M.
(Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

8. Existing place of use Sections 1, 2., 11, 12, 13, 14; N½ of Section 23; N½ of Section 24; all in T.14 N., R.66 E., M.D.B.& M.
(Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

9. Use will be from January 1st (Month and Day) to December 31st (Month and Day) of each year.

10. Use was permitted from January 1st (Month and Day) to December 31st (Month and Day) of each year.

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.) The water will be diverted through 12" to 24" pipelines to the Proposed Place Of Use.
(State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.)

12. Estimated cost of works $25,000.00

13. Estimated time required to construct works 5 years

14. Estimated time required to complete the application of water to beneficial use 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 Application is being filed in conjunction with 35 other Applications for a total yearly draw of 26,063 acre feet per year for a Power Generating Plant.

By /s/ Richard W. Forman
Richard W. Forman, Agent
P O Box 150
Ely NV 89301

Compared vjw/bl

Protested

DENIAL 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 application is hereby denied on the grounds that its issuance would threaten to prove detrimental to the public interest.

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

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I HUGH RICCI, P.E., State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of May, A.D. 2006.

Hugh Ricci, P.E.
State Engineer

2407 (Rev. 6-81)