Serial No. 55091

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 18 1990

Returned to applicant for correction

Corrected application filed Map filed DEC 11 1987 under 51461

The applicant City of Elko

Street and No. or P.O. Box No. of Elko City or Town

Nevada 89801 State and Zip Code No. hereby make S application for permission to change the point of diversion, place and manner of use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit No. 4060, Certificate 703

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 South Fork Humboldt River
   Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 161.73 AF (0.5391 c.f.s.)
   Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Recreation
   Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for Irrigation 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 SW¼ SE¼ Section 4, T.32N., R.55E., M.D.B.&M.
   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.
   or at a point from which the E¼ Corner of said Section 4 bears N. 60° 03' 19" E. a distance of 2,654.49 feet.
6. The existing permitted point of diversion is located within W. part NW¼ SE¼ Section 20, T.34N., R.55E., M.D.B.&M.
   If point of diversion is not changed, do not answer.
7. Proposed place of use Portions of S½ Sec. 3; S½ Sec. 4; NE¼ Sec. 9, All of Sec. 10; W½ & SW¼ SE¼ Sec. 11; SW¼ SW¼ Sec. 13, Sec. 14; Sec. 15; NE¼ NE¼ Sec. 23; NW¼ NW¼ Sec. 24, a portion of Sec. 25, all in T.32N., R.55E., M.D.B.&M.
   Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use 25.14 acres SE¼ NW¼; 3.92 acres SW¼ NW¼; 15.4 acres NW¼ SW¼; 9.45 acres NE¼ SW¼ all Section 20, T.34N., R.55E., 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 April 1 (Month and Day) to October 31 (Month and Day) of each year.
10. Use was permitted from April 1 (Month and Day) to October 1 (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.) South Fork Dam 85 feet high having a capacity of 40,000 acre-feet.
    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 None
13. Estimated time required to construct works None

14. Estimated time required to complete the application of water to beneficial use temporary change for 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water is being temporarily changed for a period not to exceed 1 year for storage in South Fork Reservoir. Please use map under Permit 4060 for existing point of diversion and place of use and map under Permit 51461 for the proposed point of diversion and place of use.

By City of Elko D. George Corner, Mayor
s/D. George Corner
1751 College Avenue
Elko, NV 89801

Compared bc/ mv am/se

Protested

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, place and manner of use of the waters of Humboldt River as heretofore granted under Permit 4060, Certificate 703 is issued subject to the terms and conditions imposed in said Permit 4060, Certificate 703 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 0.5391 cubic feet per second, and not to exceed 161.73 acre-feet per season.

Work must be prosecuted with reasonable diligence and be completed on or before February 13, 1992

Proof of completion of work shall be filed before March 13, 1992

Application of water to beneficial use shall be made on or before February 13, 1996

Proof of the application of water to beneficial use shall be filed on or before March 13, 1996

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

Completion of work filed FEB 20 1992

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

WITHDRAWN BY APPLICANT APR 14 1997

STATE ENGINEER

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E. State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of February, A.D. 19 91.

State Engineer

(O)-1108 (Rev. 6-81)