

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 APR 22 1991

Returned to applicant for correction

Corrected application filed Map filed JUN 29 1990 under 54827

The applicant Elko Land & Livestock Company, a Nevada Corporation

P.O. Box 220 of Battle Mountain Nevada 89820

hereby make application for permission to change the

point of diversion and place of use of a portion

of water heretofore appropriated under Permit No. 16951 (Certificate No. 5605)

identify right in Decree.

1. The source of water is underground

2. The amount of water to be changed 0.833 cfs

3. The water to be used for irrigation & domestic

4. The water heretofore permitted for irrigation & domestic

5. The water is to be diverted at the following point NW 1/4 NW 1/4 Section 23, T.34N., R.48E., MDM, at a point from which the NW Corner of Section 2, T.34N., R.48E., MDM bears N 3 0 29' 50" W, a distance of 16145.48 feet

6. The existing permitted point of diversion is located within NE 1/4 NW 1/4 (Lot 3) Section 5; T.34N., R.49E., MDM at a point from which the N 1/4 Corner of said section 5 bears N 80 0 00' 00" E a distance of 305.00 feet

7. Proposed place of use All of sections 24,25,26,35,36 of T35N, R48E, MDM; all of sections 19,20,21,28,29,30,31,32 of T35N, R49E, MDM; all of sections 1,2,3,10,11,11,12, 13,14,15,16,21,22,23,26,27 of T34N, R48E, MDM - 40.54 acres within the proposed place of use

8. Existing place of use See Attachment "A"

9. Use will be from January 1 to December 31 of each year

10. Use was permitted from January 1 to December 31 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.) a drilled and cased well equipped iwth a motor, pump & pipeline to the place of use

12. Estimated cost of works \$60,000.00

13. Estimated time required to construct works 5 years

14. Estimated time required to complete the application of water to beneficial use 7 years

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

Send copies to Elko Land & Livestock Company c/o Newmont Gold Company
P.O. Box 669 Carlin, Nevada 89822

By s/Michael D. Buschelman
Michael D. Buschelman - Agent
5405 Mae Anne Avenue
Reno, Nevada 89523

Compared bc/ bc

Protested _____

~~WITHDRAWN BY APPLICANT~~ NOV 30 2005 *[Signature]*

OF STATE ENGINEER *[Signature]*, P.E. 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:

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, _____,
State Engineer of Nevada, have hereunto set my hand and the seal of my
office, this _____ day of _____,
A.D. 19 _____.

State Engineer

ATTACHMENT "A"

EXISTING PLACE OF USE

| | | | |
|-------------|-----------------------------------|-----------|-----------------|
| 37.85 ACRES | NW $\frac{1}{4}$ NE $\frac{1}{4}$ | SECTION 5 | T34N, R49E, MDM |
| 39.78 ACRES | SW $\frac{1}{4}$ NE $\frac{1}{4}$ | SECTION 5 | T34N, R49E, MDM |
| 40.53 ACRES | SE $\frac{1}{4}$ NW $\frac{1}{4}$ | SECTION 5 | T34N, R49E, MDM |
| 40.08 ACRES | NE $\frac{1}{4}$ NW $\frac{1}{4}$ | SECTION 5 | T34N, R49E, MDM |
| 5.00 ACRES | NW $\frac{1}{4}$ NW $\frac{1}{4}$ | SECTION 5 | T34N, R49E, MDM |
| 5.45 ACRES | SW $\frac{1}{4}$ NW $\frac{1}{4}$ | SECTION 5 | T34N, R49E, MDM |
| 0.27 ACRES | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | SECTION 5 | T34N, R49E, MDM |
| 1.22 ACRES | NE $\frac{1}{4}$ SW $\frac{1}{4}$ | SECTION 5 | T34N, R49E, MDM |
| 0.30 ACRES | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | SECTION 5 | T34N, R49E, MDM |

170.48 ACRES TOTAL IN THE EXISTING PLACE OF USE.

