Serial No. 56436

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 11 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 (Street and No. or P.O. Box No.) of Battle Mountain (City or Town)

Nevada 89820 (State and Zip Code No.) hereby make.S. application for permission to change the

point of diversion & place of use of a portion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit 34773 (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 (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 1.11 cfs (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for irrigation & domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for irrigation & 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 SW¼ Section 2, T.34N., R.48E., MDM at (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.) a point from which the NW Corner of said Section 2 bears N 3° 35' 32" W a distance of 4905.87 feet
6. The existing permitted point of diversion is located within SW¼ NW¼ Section 10, T.33N., R.49E., (If point of diversion is not changed, do not answer.) MDM at a point from which the West ¼ Corner of said Section 10 bears S 86° 56' 34" W, a distance of 881.25 feet
7. Proposed place of use Within Sections 24,25,26,35,36 of T35N, R48E, MDM; Within Sections 19,20,21,28,29,30,31,32 (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.) of T35N, R49E, MDM; Within Sections 1,2,3,10,11,12,13,14,15,16,21,22,23,,26 27 of T34N, R48E, MDM 1088.09 acres within the proposed place of use
8. Existing place of use See Attachment "A" (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 1 (Month and Day) to December 31 (Month and Day) of each year.
10. Use was permitted from January 1 (Month and Day) to December 31 (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.) a drilled & cased well equipped with (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.) 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:

Use map filed under Permit 54827 for the proposed point of diversion & place of use

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

Compared bc/ bc

Protested WITHDRAWN BY APPLICANT APR 13 2005

STATE ENGINEER

WITHDRAWAL - WDN 12-22-04 JK

WITHDRAWN BY APPLICANT JUL 08 2004

STATE ENGINEER

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

8.58 ACRES	NW¼ SW¼	SECTION 1	T33N, R49E, MDM
8.58 ACRES	NE¼ SW¼	SECTION 1	T33N, R49E, MDM
8.58 ACRES	SE¼ SW¼	SECTION 1	T33N, R49E, MDM
8.58 ACRES	SW¼ SW¼	SECTION 1	T33N, R49E, MDM
8.58 ACRES	NW¼ SW¼	SECTION 2	T33N, R49E, MDM
8.58 ACRES	NE¼ SW¼	SECTION 2	T33N, R49E, MDM
8.58 ACRES	SE¼ SW¼	SECTION 2	T33N, R49E, MDM
8.58 ACRES	SW¼ SW¼	SECTION 2	T33N, R49E, MDM
8.58 ACRES	NW¼ SE¼	SECTION 2	T33N, R49E, MDM
8.58 ACRES	NE¼ SE¼	SECTION 2	T33N, R49E, MDM
8.58 ACRES	SE¼ SE¼	SECTION 2	T33N, R49E, MDM
8.58 ACRES	SW¼ SE¼	SECTION 2	T33N, R49E, MDM
9.45 ACRES	NW¼ SE¼	SECTION 3	T33N, R49E, MDM
7.14 ACRES	NE¼ SE¼	SECTION 3	T33N, R49E, MDM
6.27 ACRES	SE¼ SE¼	SECTION 3	T33N, R49E, MDM
7.88 ACRES	SW¼ SE¼	SECTION 3	T33N, R49E, MDM
8.58 ACRES	NW¼ NE¼	SECTION 10	T33N, R49E, MDM
8.58 ACRES	NE¼ NE¼	SECTION 10	T33N, R49E, MDM
8.58 ACRES	SE¼ NE¼	SECTION 10	T33N, R49E, MDM
8.58 ACRES	SW¼ NE¼	SECTION 10	T33N, R49E, MDM
8.58 ACRES	NW¼ SE¼	SECTION 10	T33N, R49E, MDM
8.58 ACRES	NE¼ SE¼	SECTION 10	T33N, R49E, MDM
8.58 ACRES	SE¼ SE¼	SECTION 10	T33N, R49E, MDM
8.58 ACRES	SW¼ SE¼	SECTION 10	T33N, R49E, MDM
0.70 ACRES	NW¼ NW¼	SECTION 11	T33N, R49E, MDM
38.73 ACRES	NE¼ NW¼	SECTION 11	T33N, R49E, MDM
38.85 ACRES	SE¼ NW¼	SECTION 11	T33N, R49E, MDM
11.16 ACRES	SW¼ NW¼	SECTION 11	T33N, R49E, MDM
10.80 ACRES	NW¼ NE¼	SECTION 11	T33N, R49E, MDM
9.39 ACRES	NE¼ NE¼	SECTION 11	T33N, R49E, MDM
9.37 ACRES	SE¼ NE¼	SECTION 11	T33N, R49E, MDM
11.12 ACRES	SW¼ NE¼	SECTION 11	T33N, R49E, MDM
8.07 ACRES	NW¼ SE¼	SECTION 11	T33N, R49E, MDM
8.97 ACRES	NE¼ SE¼	SECTION 11	T33N, R49E, MDM
8.61 ACRES	SE¼ SE¼	SECTION 11	T33N, R49E, MDM
8.25 ACRES	SW¼ SE¼	SECTION 11	T33N, R49E, MDM
8.65 ACRES	NW¼ SW¼	SECTION 11	T33N, R49E, MDM
8.36 ACRES	NE¼ SW¼	SECTION 11	T33N, R49E, MDM
8.16 ACRES	SE¼ SW¼	SECTION 11	T33N, R49E, MDM
8.56 ACRES	SW¼ SW¼	SECTION 11	T33N, R49E, MDM
8.58 ACRES	NW¼ NW¼	SECTION 12	T33N, R49E, MDM
8.58 ACRES	NE¼ NW¼	SECTION 12	T33N, R49E, MDM
8.58 ACRES	SE¼ NW¼	SECTION 12	T33N, R49E, MDM
8.58 ACRES	SW¼ NW¼	SECTION 12	T33N, R49E, MDM
8.58 ACRES	NW¼ SW¼	SECTION 12	T33N, R49E, MDM
8.58 ACRES	NE¼ SW¼	SECTION 12	T33N, R49E, MDM
8.58 ACRES	SE¼ SW¼	SECTION 12	T33N, R49E, MDM
8.58 ACRES	SW¼ SW¼	SECTION 12	T33N, R49E, MDM

160.00 ACRES	NW¼	SECTION 13	T33N, R49E, MDM
8.38 ACRES	NW¼ NW¼	SECTION 14	T33N, R49E, MDM
7.82 ACRES	NE¼ NW¼	SECTION 14	T33N, R49E, MDM
8.05 ACRES	SE¼ NW¼	SECTION 14	T33N, R49E, MDM
8.95 ACRES	SW¼ NW¼	SECTION 14	T33N, R49E, MDM
7.44 ACRES	NW¼ NE¼	SECTION 14	T33N, R49E, MDM
8.38 ACRES	NE¼ NE¼	SECTION 14	T33N, R49E, MDM
8.92 ACRES	SE¼ NE¼	SECTION 14	T33N, R49E, MDM
8.26 ACRES	SW¼ NE¼	SECTION 14	T33N, R49E, MDM
8.10 ACRES	NW¼ SE¼	SECTION 14	T33N, R49E, MDM
8.99 ACRES	NE¼ SE¼	SECTION 14	T33N, R49E, MDM
8.81 ACRES	SE¼ SE¼	SECTION 14	T33N, R49E, MDM
7.81 ACRES	SW¼ SE¼	SECTION 14	T33N, R49E, MDM
7.31 ACRES	NW¼ SW¼	SECTION 14	T33N, R49E, MDM
6.72 ACRES	NE¼ SW¼	SECTION 14	T33N, R49E, MDM
7.40 ACRES	SE¼ SW¼	SECTION 14	T33N, R49E, MDM
8.96 ACRES	SW¼ SW¼	SECTION 14	T33N, R49E, MDM
8.58 ACRES	NW¼ NE¼	SECTION 15	T33N, R49E, MDM
8.58 ACRES	NE¼ NE¼	SECTION 15	T33N, R49E, MDM
8.58 ACRES	SE¼ NE¼	SECTION 15	T33N, R49E, MDM
8.58 ACRES	SW¼ NE¼	SECTION 15	T33N, R49E, MDM
8.58 ACRES	NW¼ SE¼	SECTION 15	T33N, R49E, MDM
8.58 ACRES	NE¼ SE¼	SECTION 15	T33N, R49E, MDM
8.58 ACRES	SE¼ SE¼	SECTION 15	T33N, R49E, MDM
8.58 ACRES	SW¼ SE¼	SECTION 15	T33N, R49E, MDM
8.58 ACRES	NW¼ NE¼	SECTION 22	T33N, R49E, MDM
8.58 ACRES	NE¼ NE¼	SECTION 22	T33N, R49E, MDM
8.58 ACRES	SE¼ NE¼	SECTION 22	T33N, R49E, MDM
8.58 ACRES	SW¼ NE¼	SECTION 22	T33N, R49E, MDM
8.25 ACRES	NW¼ NW¼	SECTION 23	T33N, R49E, MDM
7.70 ACRES	NE¼ NW¼	SECTION 23	T33N, R49E, MDM
8.00 ACRES	SE¼ NW¼	SECTION 23	T33N, R49E, MDM
9.03 ACRES	SW¼ NW¼	SECTION 23	T33N, R49E, MDM
40.00 ACRES	NW¼ NE¼	SECTION 23	T33N, R49E, MDM
40.00 ACRES	NE¼ NE¼	SECTION 23	T33N, R49E, MDM
40.00 ACRES	SE¼ NE¼	SECTION 23	T33N, R49E, MDM
40.00 ACRES	SW¼ NE¼	SECTION 23	T33N, R49E, MDM
8.63 ACRES	NW¼ SW¼	SECTION 23	T33N, R49E, MDM
7.84 ACRES	NE¼ SW¼	SECTION 23	T33N, R49E, MDM
7.95 ACRES	SE¼ SW¼	SECTION 23	T33N, R49E, MDM
8.70 ACRES	SW¼ SW¼	SECTION 23	T33N, R49E, MDM

A TOTAL OF 1088.09 ACRES TO TO REMOVED FROM IRRIGATION IN MACK FIELD AND MOVED TO THE PROPOSED PLACE OF USE.