

**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 DEC 4 1991

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed \_\_\_\_\_

The applicant County of ElkoRoom 6 of Elko City or TownNevada 89801 State and Zip Code No. hereby make application for permission to change theplace of use and manner of use of a portion Point of diversion, manner of use, and/or place of useof water heretofore appropriated under application #56835 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 5.0 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 mining and milling and related use 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 same as existing 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 NE $\frac{1}{4}$  Section 35, T.34N., R.51 E., M.D.M. from which the NE corner of Section 36, in said township, bears N.78°43'E., 6,708 ft. dist. If point of diversion is not changed, do not answer.

7. Proposed place of use abrogated permit #24881. It is the understanding of the applicant that a secondary application for recreation use will be submitted under 48951, at which time a precise definition of place of use will be made, and it is the further intention of the applicant that the place of use of this application will be identical. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
8. Existing place of use portions of T.33N., R.51E., T.34N., R.51E., T.33N. R.52E., and T.34N., R.52E., all of M.D.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 1 to December 31 of each year.  
Month and Day Month and Day10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day11. 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.) works of diversion have been, or will be, constructed under the respective base permits 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 \$20,000,000.00, under permit #4895113. Estimated time required to construct works three years, under respective base permits

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

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:  
County of Elko and Newmont Gold Company are negotiating an agreement, for presentation to the State Engineer, of a plan for the beneficial use of that amount of water granted under the purposes of applications 56831 through 56839, yearly determined by the state engineer to be in excess of the mining and milling and related uses needs, and such other groundwater replacement requirements ordered by the state engineer. It is further the intention of the applicant to quit-claim to the state Department of Conservation and Natural Resources its interest in this application or its resultant permit.

By s/William A. Nisbet  
421 Court Street  
Elko, Nevada 89801

Compared cc/ nsr

Protested \_\_\_\_\_

\_\_\_\_\_  
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:

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

*Michael L. ...*  
DEC 20 1991  
STATE ENGINEER