

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 MAY 4 - 1993

Returned to applicant for correction

Corrected application filed Map filed MAY 4 - 1993

The applicant George L. Irlbeck SRL, Box 36 of Ely Nevada 89301

hereby make application for permission to change the Point of Diversion of a portion

of water heretofore appropriated under Permit #45434, previous Certificate #7759, Permit #22212

1. The source of water is Underground Sources (Well No. 4)

2. The amount of water to be changed 1.22 cfs

3. The water to be used for Irrigation and Domestic

4. The water heretofore permitted for Irrigation and Domestic

5. The water is to be diverted at the following point in Lot 1 of Section 5, T.25 N., R.65 E., M.D.B. & M., whence the Southeast Corner of Said Section 5 bears S.00°48'23"E., 2,675.62 feet distant.

6. The existing permitted point of diversion is located within the NE 1/4 NE 1/4 of Section 8, T.25 N., R.65 E., M.D.B. & M., whence the Northeast Corner of said Section 8 bears N.04°40'05" E., 1,224.06 feet distant.

7. Proposed place of use the E 1/2 of Section 5, and the N 1/2 NE 1/4 of Section 8, all in T.25 N., R.65 E., M.D.B. & M., 322.4 acres.

8. Existing place of use the E 1/2 of Section 5 and the N 1/2 NE 1/4 of Section 8, all in T.25 N., R.65 E., M.D.B. & M., 322.4 acres

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.) Drilled and cased well, pump, pipelines and flood irrigated.

12. Estimated cost of works \$25,000

13. Estimated time required to construct works three years

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

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

The current production of the existing well is insufficient to irrigate all of the permitted lands. A portion of Permit No. 45434 will be changed to a new point of diversion in order to obtain a sufficient quantity of water to irrigate all permitted lands. This application will be used in conjunction with the balance of Permit No. 45434 and Permit Nos. 45435 and 45436 to irrigate the place of use at an annual rate of 3.0 acre feet per acre.

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

Compared gkl/ jv cl/bk

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 of a portion of the waters of an underground source as heretofore granted under Permit 45434 is issued subject to the terms and conditions imposed in said Permit 45434 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 45434, 45435, 45436 and 58804 shall not exceed 967.2 acre-feet annually.

The place of use of this permit and permits 45434, 45435 and 45436 is limited to 322.4 acres as described by the proposed place of use.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.22 cubic feet per second, and not to exceed a yearly duty of 3.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before July 14, 1996

Proof of completion of work shall be filed before August 14, 1996

Application of water to beneficial use shall be made on or before July 14, 1997

Proof of the application of water to beneficial use shall be filed on or before August 14, 1997

Map in support of proof of beneficial use shall be filed on or before August 14, 1997

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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 2nd day of May

A.D. 19 96

[Signature]
State Engineer

AGENT **JAN 26 2004**
WITHDRAWN BY APPLICANT
[Signature] **STATE ENGINEER**