



THE STATE OF NEVADA
PERMIT TO CHANGE POINT OF DIVERSION,
MANNER OF USE AND PLACE OF USE OF THE
PUBLIC WATERS OF THE STATE OF NEVADA
HERETOFORE APPROPRIATED

Name of applicant: WILLIAM H. GIBBS & LANA J. GIBBS
Source: T CREEK & TRIBUTARIES
Basin: MARYS RIVER AREA
Manner of Use: IRRIGATION
Period of Use: April 15th to August 15th
Priority Date: 08/22/1963

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 and place of use of a portion of the waters of The Humboldt River as heretofore appropriated under Proof DHR-00607 as appears in the Humboldt River Decree No. 2804 entered October 20, 1931 and October 7, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms, conditions and irrigation period imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

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.

Water is being removed from 76.5 acres, (229.5 acre-feet), of Claim 00607 of the Humboldt Decree. The permittee agrees that no surface water will be applied to lands described as the existing place of use under Permit 61325, under Humboldt River Proof 00607. The diversion rate for the permittee under Humboldt River Proof 00607 is reduced by 0.942 cubic feet per second.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.942 cubic feet per second 229.5 acre-feet seasonally, 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 proof of completion of work shall be filed on or before:

January 25, 2009

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

January 25, 2011

Map in support of proof of beneficial use shall be filed on or before:

January 25, 2011

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 25th day of January, A.D. 2008

Tracy T. Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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 21 1995

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUN 22 1995

The applicant Independence Mining Company Inc.

HC-31, Box 78 of Elko
Street and No. or P.O. Box No. City or Town

Nevada 89801 hereby make S application for permission to change the
State and Zip Code No.

Point of Diversion and Place of Use of a Portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Proof No. 00607 (Robert W. Anderson - Edwards Decree)
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 T Creek and Tributaries
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.942 cfs (229.50 acre-feet)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation
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 NW 1/4 NW 1/4 of Section 17, T 42 N, R 60 E, MDB&M,
Describe as being within a 40-acre subdivision of public survey and by course and

at a point from which the Northwest corner of said Section 17 bears N. 31° 48' 36" W,
distance to a section corner. If on unsurveyed land, it should be stated.

633.64 feet.

6. The existing permitted point of diversion is located within As Decreed
If point of diversion is not changed, do not answer.

7. Proposed place of use W 1/2 NW 1/4 Section 17, E 1/2 NE 1/4 SW 1/4 NE 1/4 SE 1/4 SW 1/4 Section 18,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

T 42 N, R 60 E, MDB&M. (76.50 acres)

8. Existing place of use Portions of N 1/4 of Section 15, T 43 N, R 59 E, MDB&M. A total of
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

76.50 acres are to be removed from Irrigation as follows: NW 1/4 NE 1/4 - 5.40 acres,
manner of use of irrigation permit, describe acreage to be removed from irrigation.

NE 1/4 NW 1/4 - 11.70 acres, NW 1/4 NW 1/4 - 3.25 acres, SW 1/4 NW 1/4 - 2.85 acres, SE 1/4 NW 1/4 - 21.30
acres, SW 1/4 NE 1/4 - 32.00 acres, All 1884 priority in Section 15, T43 N, R 59 E, MDB&M.

9. Use will be from April 15 to August 15 of each year.
Month and Day Month and Day

10. Use was permitted from April 15 to August 15 of each year.
Month and Day Month and Day

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.) Natural Channels, Ditches, Diversion Structures
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 \$5,000

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:

Please send copies of all correspondence and notices to: Jerry Batemen,
Independence Mining Co. Inc., One DTC, 5251 Parkway Suite 700, Englewood, Co.
80111

HIGH DESERT Engineering Agent
By Robert E. Morley
640 Idaho Street
Elko, NV 89801

Compared sm/jk

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