

AMENDED**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 MARCH 12 2002Returned to applicant for correction MARCH 26 2002Corrected application filed MAY 20 2002Map filed MAY 20 2002

The applicant **Ellison Ranching Company** hereby makes application for permission to change the **point of diversion of a portion** of water heretofore appropriated under **permit #23818 (c. #8338)**

1. The source of water is **underground**
2. The amount of water to be changed **1.0 c.f.s., 1,025.4 acre-feet**
3. The water to be used for **irrigation**
4. The water heretofore permitted for **irrigation**
5. The water is to be diverted at the following point **within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 15, T.25N., R.41E., M.D.M., from which the SE corner of said section 15 bears S.45°40'E., 3,652 ft. dist.**
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, T.25N., R.41E., M.D.M., from which the S. $\frac{1}{4}$ -section corner of said 10 bears S.18°30'W., 2,020 ft. dist.**
7. Proposed place of use **same as existing**
8. Existing place of use **289.7 acres within portions of Sections 10 and 15, T.25N., R.41E., M.D.M., as described in certificate #8338**
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 **drilled and cased well, power line extension, connection to pipeline distribution network**
12. Estimated cost of works **\$40,000.00**
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: It is intended to abrogate all water right remaining at the point of diversion described under permit #23818. Applicant has experienced poor well performance in the area of the present operating wells, and wishes to seek a better producing aquifer in the proposed diversion area.

S/ William A. Nisbet
By William A. Nisbet, Agent
421 Court Street
Elko, NV 89801

Compared sg/cmf lb/cmf

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 23818, Certificate 8338 is issued subject to the terms and conditions imposed in said Permit 23818, Certificate 8338 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 totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. 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 total combined duty of water under Permits 23826, Certificate 8339; 28144, Certificate 9797; 54331, Certificate 15167 and Permit 68618 shall not exceed 1158.8 acre-feet annually.

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

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 1.0 cubic feet per second, and not to exceed a yearly duty of 4.0 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:

December 20, 2004

Proof of completion of work shall be filed before:

January 20, 2005

Water must be placed to beneficial use on or before:

December 20, 2007

Proof of the application of water to beneficial use shall be filed on or before:

January 20, 2008

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

January 20, 2008

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 20th day of December, A.D. 2002


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____