**No. 71435**

**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 **July 8, 2004**

Returned to applicant for correction **July 27, 2004**

Corrected application filed **AUG 13 2004**

Map filed **AUG 13 2004 under 71423**

**********

The applicant **Elko Land and Livestock Company** hereby makes application for permission to change the **Point of Diversion and Manner of Use and Place of Use of a portion** of water heretofore appropriated under **Permit 34771**

**********

1. The source of water is **Underground**

2. The amount of water to be changed **3.79 cfs**

3. The water to be used for **Industrial (Power Generation) Purposes**

4. The water heretofore permitted for **Irrigation**

5. The water is to be diverted at the following point **T.S. Ranch – TS 12 within Lot 3, Section 5, T34 N, R49 E, M.D.M., at a point from which the NW corner of Section 06, T34N, R49E, M.D.M. bears S 89°54'49" W a distance of 7619 feet.**

6. The existing permitted point of diversion is located within **T.S. Ranch – Mack Creek Well 12 within the SW¼ NW¼, Section 11, T33 N, R49 E, M.D.M., at a point from which the W¼ corner of said Section 11 bears S 86°56'34" W a distance of 881.25 feet.**

7. Proposed place of use **Sections 11, 12, 13, 14, 15, 22, 23, and that portion of N½, Section 27 within Boulder Flat (061), T33N, R48E, M.D.M.; Eureka County**

8. Existing place of use **S½NW¼, lot 3, lot 4, SW¼, Section 01; Section 02; S½, Section 03; E½, Section 09; Sections 10 and 11; W½, Section 12; NW¼, Section 13; Sections 14 and 15; E½, Section 16; NE¼, Section 22; W½, NE¼, Section 23, T33N, R49E, M.D.M.**

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, cased well with motor and pump, totalizing flow meter, and pipeline to the place of use.**

12. Estimated cost of works **$1,000,000 (one million dollars)**

13. Estimated time required to construct works **four years**

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

15. Remarks:

**REFER TO TS POWER PLANT MAP 3**

71435

By Paul M. Pettit, Manager of Environmental Compliance and Hydrology
s/ Paul M. Pettit
Environmental Department, PO Box 669
Carlin, Nevada 89822

Compared sc/sam

Protested 11/12/04 by: The Association for Clean Energy

WITHDRAWN BY APPLICANT DEC 22 2004

P.E. STATE ENGINEER
Sam

**********