



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: ELKO SUMMIT LIMITED
Source: UNDERGROUND
Basin: ELKO SEGMENT
Manner of Use: QUASI-MUNICIPAL
Period of Use: January 1st to December 31st
Priority Date: 05/29/2002

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, place and manner of use of a portion of the waters of an underground source as heretofore granted under Permit 56754 is issued subject to the terms and conditions imposed in said Permit 56754 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 well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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

This permit is approved and simultaneously abrogated by Permit 75405 which changes the point of diversion and place of use to a well on lot 9A, Elko Summit Estates.

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 0.0055 cubic feet per second or 2.84 acre-feet annually.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: N/A

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

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

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 29th day of May A.D. 2008

[Handwritten signature] P.E.
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

No. 73577

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 15 2005

Returned to applicant for correction JAN 06 2006

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

Map filed FEB 28 2006

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The applicant **Elko Summit Limited** hereby makes application for permission to change the **Point of Diversion Manner of Use and Place of Use for 2.84 Acre Feet, a portion of the 4.00 A.F.A. total of Permit #56754** of water heretofore appropriated under **Permit #56754**

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1. The source of water is **Underground**
2. The amount of water to be changed **2.84 A.F.A., a portion of the 4.00 A.F.A. total of Permit #56754**
3. The water to be used for **Quasi-Municipal (Residential Land Development)**
4. The water heretofore permitted for **Irrigation & Domestic**
5. The water is to be diverted at the following point **SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 25, T.34N., R.55E., M.D.B.&M., at a point from which the SE corner of said Section 25 bears S 46° 04' 31" E, a distance of 4,093.42' feet.**
6. The existing permitted point of diversion is located within **NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 17, T.34N., R.55E., M.D.B.&M., at a point from which the N $\frac{1}{4}$  corner of said Section 17 bears N 30° 46' 33" W, a distance of 943.43' feet.**
7. Proposed place of use **Lot 12, of the BLA file #406556, filed in the Elko County Recorders office on May 8<sup>th</sup>, 1997, being a portion of the SE $\frac{1}{4}$  of Section 25, T.34N., R.55E., M.D.B.&M.,**
8. Existing place of use **a portion of NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 17, T.34N., R.55E., M.D.B.&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 **Well Pump & Motor, and pipeline to place of use.**
12. Estimated cost of works **\$30,000.00**
13. Estimated time required to construct works **1 year**
14. Estimated time required to complete the application of water to beneficial use **4 years**

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15. Remarks: Said Lot 12 is in the process of being consolidated into three lots and the 2.84 Acre Feet, will be applied to 2.53 Residential Building Parcels, allowing 1.12 Acre Feet per Unit. Two reasons caused this water to not be transferred to said Lot 12. **First**, Elko County was in a terrible economic slump from 1997 until the first of 2005, due mainly to the price of Gold. Note #56754 had been purchased for the purpose of developing the land in Sections 25 and 36, and putting the water to beneficial use. **Second**, Chuck Armuth, Jr. the water right surveyor had been progressively sick this last year with heart failure. During his last month he was bed ridden, and died the last of August, 2005. We feel that he would have applied for this change during his last year if he hadn't been so sick

By **Conn Davis, agent**  
**s/Conn Davis**  
**P.O. Box 7316**  
**Incline Village, Nevada, 89452**

Compared **gkl/ sc** \_\_\_\_\_

Protested \_\_\_\_\_

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