



**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 LAND AND LIVESTOCK COMPANY  
Source: UNDERGROUND  
Basin: BOULDER FLAT  
Manner of Use: INDUSTRIAL  
Period of Use: January 1st to December 31st  
Priority Date: 05/10/1976

**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 the waters of an underground source as heretofore granted under Permit 71432 is issued subject to the terms and conditions imposed in said Permit 71432 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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

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 71431, 76012, 76013, 76014, 76015, 76016, 76017, 76018 and Permit 76019 shall not exceed 8975.72 acre-feet annually.

The total combined duty of water from this well under Permits 76015, 76016, and 76017 shall not exceed 7178.51 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.

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 5.459 cubic feet per second or 2976.93 acre-feet annually.**

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

November 30, 2008

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

November 30, 2010

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 30 day of November, A.D. 2007

\_\_\_\_\_  
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**

<b>THIS SPACE FOR OFFICE USE ONLY</b>	
Date of filing in State Engineer's Office	<u>JUL 0 2 2007</u>
Returned to applicant for correction	_____
Corrected application filed	Map filed <u>JUL 0 2 2007</u> under 76012

The applicant Elko Land and Livestock Company  
Environmental Department, PO Box 669 of Carlin  
Street and No. or P.O. Box No. City or Town  
Nevada, 89822, hereby make.s. application for permission to change the  
State and Zip Code No.  
Point of Diversion

of water heretofore appropriated under Permit 71432  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree  
 and identify right in Decree.

- The source of water is Underground  
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 5.459 cfs  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Industrial (Power Generation)  
Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.
- The water heretofore used for Industrial (Power Generation)  
If for stock state number and kind of animals.
- The water is to be diverted at the following point TS Power Plant - TSPP 4

*within the NW¼ SW¼, Section 25, T34 N, R48 E, M.D.M., at a point from which the E¼ corner of Section 24, T33N, R48E, M.D.M. bears S 08°45'27" E a distance of 26836 feet.*

- Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
- The existing point of diversion is located within Barrick Mine - BVI 4  
If point of diversion is not changed, do not answer.

*within the SW¼ NE¼, Section 24, T35 N, R48 E, M.D.M., at a point from which the E¼ corner of said Section 24 bears S 83°48'17" E a distance of 2588 feet.*

61-ELW

TSPP4 c

7. Proposed place of use Same as Existing  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

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.....  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated.

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

If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use permitted from January 1 to December 31 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.) Drilled, cased well with motor and pump, totalizing flow meter, and pipeline to the place of use.  
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

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

13. Estimated time required to construct works three years  
If well completed, describe well.

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

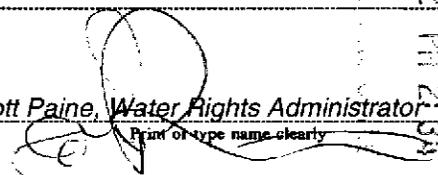
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

*Application is hereby made to move water rights from injection wells permitted by 71424, 71430, and 71432 to an alternate independent water supply site TSPP4, to be completed immediately upon (potential) detection of subsidence at the TS Power Plant by water production from well TSPP3.*

775-778-4318  
Phone No.

June 26, 2007

**APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT**

By Scott Paine, Water Rights Administrator  
Print of type name clearly  
  
Signature, applicant or agent  
Environmental Department, PO Box 669  
Street and No., or P.O. Box No.  
Carlin, Nevada 89822  
City, State, Zip Code No.

**\$150 FILING FEE MUST ACCOMPANY APPLICATION**