



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: 12/23/1977

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 71431 is issued subject to the terms and conditions imposed in said Permit 71431 and with the understanding that no other rights on the source will be affected by the change proposed herein.

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 76018 and 76019 shall not exceed 1208.56 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 3.1216 cubic feet per second or 545.84 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

Handwritten signature of Tracy 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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office JUL 0 2 2007

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 0 2 2007

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 a portion
of water heretofore appropriated under Permit 71431
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 Underground
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 3.1216 cfs
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. 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.
4. The water heretofore used for Industrial (Power Generation)
If for stock state number and kind of animals.
5. The water is to be diverted at the following point TS Power Plant - TSPP 2

within the NW¼ NE¼, Section 10, T33 N, R48 E, M.D.M., at a point from which the E¼ corner of Section 24, T33N, R48E, M.D.M. bears S 43°23'14" E a distance of 17653 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.
6. The existing point of diversion is located within TS Power Plant - TSPP 1-proposed
If point of diversion is not changed, do not answer.

within the NW¼ SE¼, Section 11, T33 N, R48 E, M.D.M., at a point from which the E¼ corner of Section 24, T33N, R48E, M.D.M. bears S 35°59'21" E a distance of 12756 feet.

GLEW

TSPP 2 a

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 \$500,000 (five hundred thousand dollars)

13. Estimated time required to construct works one year
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use three 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 change permanent water rights from well TSPP1 to TSPP2 and to replace temporary water rights under permit 74821T.

775-778-4318
Phone No.

June 25, 2007

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

By Scott Paine, Water Rights Administrator
Print or 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

