



**TEMPORARY**  
**THE STATE OF NEVADA**

**PERMIT TO CHANGE THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED**

**Name of Permittee:** ELKO COUNTY NEVADA  
**Source:** HUMBOLDT RIVER - SOUTH FORK  
**Basin:** DIXIE CREEK-TENMILE CREEK AREA  
**Manner of Use:** WILDLIFE  
**Period of Use:** EXPIRES AUGUST 15, 2013  
**Priority Date:** AS DECREED

\*\*\*\*\*

**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 temporary permit to change the point of diversion, place and manner of use of a portion of the waters of The Humboldt River as heretofore appropriated under Proof DHR 00242 as appears in the Humboldt River Decree No. 2804 entered October 7, 1935, in the District Court of the Sixth Judicial District of the State of Nevada, in and for the County of Humboldt, is issued subject to the terms and conditions imposed in said Decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A measuring device must be installed and measurements of water use kept.

This temporary 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 Temporary Permits 82380T and 82381T shall not exceed 1095.24 acre-feet seasonally.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire **August 15, 2013**, at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(Continued on Page 2)

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 3.926 cubic feet per second or 430.74 acre-feet seasonally.**

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:

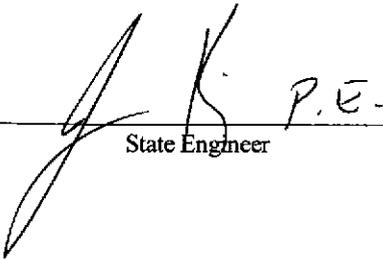
N/A

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

N/A

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 5th day of **February, 2013**

  
\_\_\_\_\_  
State Engineer

**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 DEC 21 2012

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed DEC 11 1987 UNDER 51461

The applicant Elko, County Nevada  
540 Court Street, Suite 104 of Elko  
Street Address or PO Box City or Town  
Nevada 89801 hereby make(s) application for permission to change the  
State and ZIP Code

- Point of diversion       Place of use       Manner of use       of a portion

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

Proof Number 00242, in the manner of designation of relative rights inland to the waters of the Humboldt River and its tributaries.

1. The source of water is The South Fork of the Humboldt River  
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 430.74 acre feet  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Wildlife  
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 As decreed  
If for stock, state number and kind of animals.

5. The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)  
SW1/4 SE 1/4 Section 4, T. 32 N., R. 55 E., M.D.B. & M. or at a point from which the E1/4 section corner of said Section 4 bears North 60 degrees 03 minutes and 19 seconds East, a distance of 2,654.49 feet. Map Filed Under 51461.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
As Decreed See attached exhibit. "SEE ATTACHED EXHIBIT A"

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Section 2: S1/2. Section 3: S1/2. Section 4: SE1/4, N1/2SW1/4, SE 1/4 SW1/4. Section 9: Portions of the NE1/4 NW1/4 and Portions of the E1/2. Section 10 All. Section 11 All. Section 13: Portions of the W1/2 SW1/4. Section 14: All. Section 15: Portions of the N1/2. Section 16 E1/2 NE1/4 NE1/4. Section 23: Portions of the E1/2. Section 24: SW1/4 SE1/4, S1/2 NW1/4, NW1/4 NW1/4. Section 24 : SW1/4. Section 25: NW1/4, Portions of the NE1/4 SW1/4, Portions of the NW1/4 SE1/4. All in T.32N., R.55E., M.D.B.&M. Map Filed Under 50030.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

As Decreed See attached exhibit "SEE ATTACHED EXHIBIT B"

9. Proposed use will be from As decreed to As decreed of each year.  
Month and Day Month and Day

10. Existing use permitted from As decreed to As decreed of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e., diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

South Fork Dam 40,000 Acre Feet.

12. Estimated cost of works N/A

13. Estimated time required to construct works N/A

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Temporary 1 Year

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

This Water is being used on a temporary basis for storage at the South Fork Dam. For existing point of diversion and place of use please use Humboldt River Decree Maps. For proposed point of Diversion and Place of Use please use map under permit 51461.

16. Miscellaneous remarks:

rbrown@elkocountynv.net

E-mail Address

775-738-6816 Ext. 212

Phone No.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

Scott R. Brown

Type or print name clearly



Signature, applicant or agent

Elko County Nevada

Company Name

540 Court Street, Suite 104

Street Address or PO Box

Elko, Nevada 89801

City, State, ZIP Code

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Exhibit A  
Existing POD

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<u>POOD #</u>	<u>NAME</u>	<u>DITCH</u>	<u>SOURCE</u>	<u>PL. DIV.</u>	<u>TIR</u>
00235	J.W. Yowell	Slough	Humboldt	S.E. 1/4, S.E. 1/4, Sec. 11 T. 34 N., R. 55 E.	
00235	J.W. Yowell	Ecklemans Dam	Humboldt	S.E. 1/4, N.W. 1/4, Sec. 14 T. 34 N., R. 55 E.	
00234	James Russell	Slough	Humboldt	S.E. 1/4, S.E. 1/4, Sec. 14 T. 34 N., R. 55 E.	
00234	James Russell	Slough	Humboldt	S.W. 1/4, S.E. 1/4, Sec. 14 T. 34 N., R. 55 E.	
00234	James Russell	Slough & Dam #1	Humboldt	N.W. 1/4, N.E. 1/4, Sec. 22 T. 34 N., R. 55 E.	
00234	James Russell	2 Sloughs & Dam #2	Humboldt	N.E. 1/4, N.W. 1/4, Sec. 22 T. 34 N., R. 55 E.	
00234	James Russell	Slough	Humboldt	N.W. 1/4, N.W. 1/4, Sec. 22 T. 34 N., R. 55 E.	
00233	H.S. Van Drielen	H.G. & 2 Sloughs	Humboldt	S.E. 1/4, N.E. 1/4, Sec. 21 T. 34 N., R. 55 E.	
00233	H.S. Van Drielen	Slough	Humboldt	N.W. 1/4, S.E. 1/4, Sec. 21 T. 34 N., R. 55 E.	
00233	Hunter & Lytton	Slough	Humboldt	N.E. 1/4, N.W. 1/4, Sec. 12 T. 34 N., R. 55 E.	
00236	Hunter & Lytton	2 Dams	Humboldt	S.E. 1/4, N.W. 1/4, Sec. 14 T. 34 N., R. 55 E.	
00238	Isabella Dewar	Burner Ditch	Humboldt	S.E. 1/4, N.E. 1/4, Sec. 31 T. 35 N., R. 56 E.	
00239	Mrs. M.H. & E. R. Green	Slough	Humboldt	S.E. 1/4, N.E. 1/4, Sec. 31 T. 35 N., R. 55 E.	
00240	Mrs. M.H. & E.R. Green	Dam	Humboldt	N.W. 1/4, S.E. 1/4, Sec. 31 T. 35 N., R. 55 E.	
00240	James Bett	Bett Dam & Ditch	Humboldt	N.E. 1/4, S.E. 1/4, Sec. 15 T. 34 N., R. 55 E.	
00241	George Elmore	Dam & Ditch #1	Humboldt	N.W. 1/4, N.W. 1/4, Sec. 14 T. 35 N., R. 57 E.	
00241	George Elmore	Dam #2	Humboldt	S.W. 1/4, N.W. 1/4, Sec. 14 T. 35 N., R. 57 E.	
00241	George Elmore	Ditches 2, 3, & 4	Humboldt	S.E. 1/4, N.E. 1/4, Sec. 15 T. 35 N., R. 57 E.	
00241	George Elmore	Dam #3 - Ditch #5	Humboldt	N.E. 1/4, S.E. 1/4, Sec. 15 T. 35 N., R. 57 E.	
00241	George Elmore	Ditches #6 & #7	Humboldt	S.W. 1/4, N.E. 1/4, Sec. 15 T. 35 N., R. 57 E.	
0242 sect 1	Chas Clubine	Dam	Humboldt	N.W. 1/4, S.W. 1/4, Sec. 10 T. 35 N., R. 56 E.	
0242	Chas Clubine	South Osino #1	Humboldt	N.E. 1/4, S.W. 1/4, Sec. 10 T. 35 N., R. 56 E.	
0242	Chas Clubine	South Osino #2	Humboldt	N.W. 1/4, S.E. 1/4, Sec. 10 T. 35 N., R. 56 E.	
0242 sect 2	Chas Clubine	Ditch	Jackstone Creek	N.W. 1/4, S.E. 1/4, Sec. 29 T. 36 N., R. 56 E.	
0242 sect	Chas Clubine	N. Osino Ditch	Humboldt	S.E. 1/4, S.W. 1/4, Sec. 11 T. 35 N., R. 56 E.	
0242	Chas Clubine	Sherman Cr. Ditch	Sherman Creek	S.W. 1/4, N.E. 1/4, Sec. 9 T. 35 N., R. 56 E.	

Existing  
PODS

Exhibit B  
Existing POU

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J. N. Phillips—Continued.

Priority	CULTURE ACRES			LOCATION				Length of Season	DIFT or WATER	
	Harvest	Meadow Pasture	Diversified Pasture	Subdivision	Sec.	Tp.	R.		C. P. S.	Acres Feet
1879			4.90		6	34	56	4-15-5-15	.060	3.87
1880	56.39				31	35	58	4-15-5-15	.654	169.17
1880			4.90		6	34	56	4-15-5-15	.060	3.87
1881	79.12			NW1NW1	6	34	58	4-15-5-15	.879	231.36
1881			6.88	SW1NW1	6	34	58	4-15-5-15	.085	5.16
				SE1NE1	1	34	55			
				NE1NW1	6	34	58			
				SE1NW1	6	34	58			
				SE1NW1	31	35	56			
				NW1NE1	21	35	56			
				NE1NE1	21	35	56			
				SW1NE1	21	35	56			
				SE1NE1	21	35	56			
1888	268.28			SW1NW1	31	35	58	4-15-5-15	9.300	804.84
1888			98.01	NW1SW1	31	35	58	4-15-5-15	1.107	67.53
				NE1SW1	31	35	58			
				NW1SE1	31	35	58			
				SW1SW1	31	35	58			
				SE1SW1	31	35	58			
				NW1NW1	6	34	58			
				NE1NW1	6	34	58			

Claimant—CHARLES OLKOFF. 00242  
Source—Humboldt River.  
Ditch—Charles Olkoff Ditches.

1872	93.43			N1N1	13	35	56	4-15-5-15	1.149	280.36
1872			62.28	SW1	10	35	56	4-15-5-15	.766	46.71
1883	96.98			W1SE1	10	35	56	4-15-5-15	1.059	254.14
1883			56.92	NE1SE1	10	35	56	4-15-5-15	.709	42.89
	12.98			NW1SW1	11	35	56	4-15-5-15	.159	38.70
				S1NE1	10	35	56			
				SW1NW1	11	35	56			

Source—Sherman and Jackson Creeks.  
Ditch—Charles Olkoff Ditches.

1887	16.98							4-15-5-15	.308	50.98
1887			25.44					4-15-5-15	.325	19.83
			26.44	S1	3	35	56	4-15-5-15	.325	19.83
1888	16.98			NW1	10	35	56	4-15-5-15	.308	50.98
1888			26.44	SW1	10	35	56	4-15-5-15	.325	19.83
1889	16.98			NE1	10	35	56	4-15-5-15	.268	50.98
1889			26.44	NW1	11	35	56	4-15-5-15	.325	19.83
1890	16.98							4-15-5-15	.208	50.98
1890			26.44					4-15-5-15	.325	19.83
1891	16.98							4-15-5-15	.208	50.98
1891			26.44					4-15-5-15	.325	19.83
			26.44					4-15-5-15	.325	19.83
			26.44					4-15-5-15	.325	19.83

Source—Jackstone Creek.  
Ditch—Charles Olkoff Ditches.

1888			12.40	SE1NE1	22	35	56	4-15-5-15	.153	9.50
1888			19.80	SW1NW1	22	35	56	4-15-5-15	.133	8.10

Claimant—J. J. HENDERSON.  
Source—Humboldt River.  
Ditch—J. J. Henderson Ditches.

1879	194.40			SE1NE1	1	34	55			
1879			57.30	NW1SW1	6	34	56			
				NW1SW1	6	34	58			
				SE1	1	34	55			
				SE1SE1	1	34	55			
				SE1SW1	1	34	55	4-15-5-15	2.391	583.20
1880			57.30	NE1NE1	12	34	55	4-15-5-15	.705	42.97
1880	194.40			N	12	34	55			
1880			57.30	NE1NW1	12	34	55	4-15-5-15	2.391	583.20
				NW1SE1	12	34	55	4-15-5-15	.705	42.97
				NW1SW1	12	34	55			
				NW1	12	34	55			
				S1NW1	12	34	56			
				NW1SW1	12	34	55			
				SE1NW1	12	34	55			

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