NO. 51639

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office DEC 21 1987

Returned to applicant for correction

Corrected application filed

Map filed MAR 03 1988 under 04627

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The applicant **John and Mary Bogard,** hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

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1. The source of the proposed appropriation is **Underground - Well No 1**

2. The amount of water applied for is **0.04** second-feet

   (a) If stored in reservoir give number of acre-feet

3. The water to be used for **Irrigation and domestic**

4. If use is for:

   (a) Irrigation, state number of acres to be irrigated **19.1 acres**

   (b) Stockwater, state number and kinds of animals to be watered

   (c) Other use (describe fully under No. 12. "Remarks")

   (d) Power:
      (1) Horsepower developed

      (2) Point of return of water to stream

5. The water is to be diverted from its source at the following point **SW¼ SW¼ Sec. 26 T33N R22E MDB&M at a point from which the SW cor of said Sec. 26 bears S84°W 1180 feet**

6. Place of Use **SW¼ SW¼ Sec. 26, NW¼ NW¼ Sec. 35, SE¼ SW¼ and SW¼ SE¼ Sec. 27, NW¼ NE¼ Sec. 34, T33N R22E MDB&M**

7. Use will begin about **Jan 1** and end about **Dec. 31** of each year.

8. Description of proposed works **6" steel cased well approximately 100 ft. deep and with related pipe, ditches, gates, etc.**

9. Estimated cost of works **$6,000**

10. Estimated time required to construct works **Works are constructed**

11. Estimated time required to complete the application of water to beneficial use **Water is now being applied to beneficial use**

12. Remarks: **Water is comingled with water from Wells 2, 3, and 4 Domestic use is in the Planet X Pottery Complex. Well was drilled in 1930, is artisian and supplements irrigation under proof 01280 attached Welch, Phillips, Fisk, and Eckhard statements document historic use. Map to Follow.**

By **s/Brien B. Walters**
3680 Grant Dr., Suite G1
Reno, NV 89509

Compared **dl/cmf** dl/cmf

Protested

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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 is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to beneficial use. It is also understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to other ground water development in the area. A substantial weir or other type of measuring device must be installed and measurements of water use kept. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times.

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 51639, 51640 and 51641 shall not exceed 102.20 acre-feet annually for the irrigation of 25.55 acres.

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 issued for irrigation purposes only. Any domestic use of this well other than as defined under NRS 534.013 is not allowed.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **0.04** cubic feet per second, **but not to exceed 28.96 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.**

Work must be prosecuted with reasonable diligence and be completed on or before:
December 27, 2000

Proof of completion of work shall be filed before:
January 27, 2001

Water must be placed to beneficial use on or before:
December 27, 2001

Proof of the application of water to beneficial use shall be filed on or before:
January 27, 2002

Map in support of proof of beneficial use shall be filed on or before:
January 27, 2002

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **27th** day of, **December** A.D. **1999**

State Engineer

Completion of work filed FEB 22 2001

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____