Serial No. 58207

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 OCT 08 1992

Returned to applicant for correction

Corrected application filed Map filed DEC 24 1992 under 58194

The applicant James R. & Christine D. Boyce

P.O. Box 88 (Street and No. or P.O. Box No.) of Dyer (City or Town)

Nevada 89010 (State and Zip Code No.) hereby make application for permission to change the

Point of Diversion and Place of Use (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Per 11278 Cert. 2928 (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 Leidy Creek (storm and flood waters) (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 4.0 c.f.s. (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for irrigation (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for irrigation (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
5. The water is to be diverted at the following point NE¼ NW¼ Sec. 35, T.2S., R.34E., MDB&M, (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.) or at a point from which the NE corner of Sec. 32 T.2S., R.35E., bears N 87° 19' 13" E., a distance of 19251.62 feet.
6. The existing permitted point of diversion is located within SE¼ SE¼ Sec. 30, T.2S., R.35E., MDB&M, (If point of diversion is not changed, do not answer.) or at a point from which the SE corner of said Sec. 30 bears S 65° 50' E., a distance of 1270 feet.
7. Proposed place of use See Exhibit "A" (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use 160 acres in the SW¼ Sec. 26, T2S., R35E., MDB&M (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.) 160 acres in the SE¼ " 27 " " "
9. Use will be from April 1 (Month and Day) to August 31 (Month and Day) of each year.
10. Use was permitted from April 1 (Month and Day) to August 31 (Month and Day) of each year.
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.) Diversion box, pipeline, booster pumps, and sprinkler systems. (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works $50,000
13. Estimated time required to construct works 3 years

14. Estimated time required to complete the application of water to beneficial use 5 years

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

Water will be co-mingled with other surface water permits to irrigate a total of 1014.12 acres, 514.6 of which is supplemental ground water rights.

By s/Margaret Spencer
P.O. Box 130
Smith NV 89430

Compared bc/bc

Protested 2/25/93 by; Inyo National Forest, White Mountain Ranger District:

WITHDRAWN BY AGENT MAY 14 2004

OF STATE ENGINEER J. Succi, P.E. 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:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed cubic feet per second

Work must be prosecuted with reasonable diligence and be completed on or before

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

Proof of the application of water to beneficial use shall be filed on or before

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

Completion of work filed

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, , State Engineer of Nevada, have hereunto set my hand and the seal of my office, this day of , A.D. 19

State Engineer

(O)-1108 (Rev. 6-81)

2nd AMENDED

EXHIBIT "A"

Proposed Place of Use

	SUBD'	SEC.	T.	R.	
	S½ NE¼	22	2S	35E	
	SE¼	22	2S	35E	
	SW¼	26	2S	35E	
	ALL	27	2S	35E	
	E½	28	2S	35E	East of Hwy
	E½	33	2S	35E	East of Hwy
	N½	34	2S	35E	
	N½ SW¼	34	2S	35E	
	SW¼ SW¼	34	2S	35E	
	N½ SE¼	34	2S	35E	
*	NW¼	35	2S	35E	
	NW¼ SW¼	35	2S	35E	
	NE¼	4	3S	35E	East of Hwy
	N½ SE¼	4	3S	35E	East of Hwy

* Excluding 22.6 acres permitted under Permit 3159

per letter 12/23/92
SB