

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. JAN 21 1993

Returned to applicant for correction.

Corrected application filed. Map filed JAN 21 1993

The applicant Harold K. & Sandra P. Boggio

P.O. Box 36 of Paradise Valley Nevada 89426

Street and No. or P.O. Box No. City or Town 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 Permit 54219

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 source.

2. The amount of water to be changed 4.77 c.f.s.

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for irrigation & domestic

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for irrigation & domestic

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 within the SW 1/4 SW 1/4 of Section 25 T.42N.,

R.39E., M.D.B.&M., or at a point from which the SW corner of said Section 25 distance to a section corner. If on unsurveyed land, it should be stated.

bears S 46° 42' W 1438.0'.

6. The existing permitted point of diversion is located within the SE 1/4 NE 1/4 of Section 26, T.42N.,

If point of diversion is not changed, do not answer.

R.39E., M.D.B.&M., or at a point from which the NE corner of said Section 26

bears N 5° 28' E 2618.0'.

7. Proposed place of use 201.72 acres lying within portions of SE 1/4 NE 1/4, E 1/2 SE 1/4 of

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

Section 26; SW 1/4 NW 1/4, W 1/2 SW 1/4 of Section 25; E 1/2 NE 1/4 of Section 35 and the W 1/2 NW 1/4

of Section 36 all in T.42N., R.39E., M.D.B.&M.

8. Existing place of use See attached Exhibit "A"

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.

9. Use will be from January 1st to December 31st of each year.

Month and Day Month and Day

10. Use was permitted from January 1st to December 31st 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 well, pump motor and pipeline

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 in excess of \$50,000.00

13. Estimated time required to construct works 2 years

14. Estimated time required to complete the application of water to beneficial use..... 3 years

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

Well at the original point of diversion is no longer able to produce the needed quantity of water. Applicant filed a temporary change and has been drilling a new well. This application is being filed to change the temporary point of diversion to the permanent point.

By s/John H. Milton III
John H. Milton III, Agent
146 W. Second Street
Winnemucca, Nevada 89445

Compared bc/bc jr/vjw

Protested.....

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 54219 is issued subject to the terms and conditions imposed in said Permit 54219 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.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The well must be sealed with cement grout, concrete grout or neat cement from ground level to 100 feet.

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

The well issued under Permit 54219 shall be plugged within 60 days from the issuance of this permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 4.77 cubic feet per second, but not to exceed 726.2 acre-feet annually, and not to exceed a yearly duty of 3.6 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 August 3, 1995

Proof of completion of work shall be filed before September 3, 1995

Application of water to beneficial use shall be made on or before August 3, 1997

Proof of the application of water to beneficial use shall be filed on or before September 3, 1997

Map in support of proof of beneficial use shall be filed on or before September 3, 1997

Completion of work filed JUN 13 1996
Proof of beneficial use filed.....
Cultural map filed.....
Certificate No..... Issued.....

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 30th day of September

A.D. 19 94
R. Michael Turnipseed, P.E.
State Engineer

Abrogated By Port 64699 2.77
Port 64700 2.00