

**AMENDED
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 _____ **SEP 30 2003**
 Returned to applicant for correction _____ **NOV 04 2003**
 Corrected application filed _____
 Map filed _____ **IAN 25 1923 under 3158**

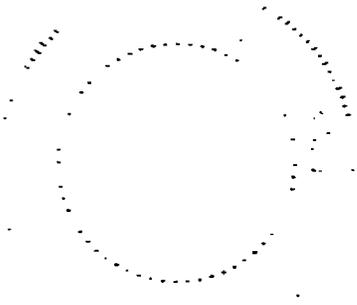
 The applicant **James R. Boyce**, hereby makes application for permission to change the
Manner & Place of Use of water heretofore appropriated under **Permit 3158, Certificate 747**

- *****
1. The source of water is **Leidy (aka Robinson) Creek**
 2. The amount of water to be changed **0.246 cfs not to exceed 73.8 acre-feet annually**
 3. The water to be used for **Irrigation**
 4. The water heretofore permitted for **Irrigation**
 5. The water is to be diverted at the following point **SW¹/₄ SE¹/₄, Section 29, T.2S., R.35E., M.D.B.&M., or at from which the SE Corner of said Section 29 bears S. 69°55' E., a distance of 1608.8 feet. See maps under Permits 3158 and 11264.**
 6. The existing permitted point of diversion is located within **Unchanged.**
 7. Proposed place of use **See Attachment "A"**
 8. Existing place of use **11.2 ac., SE¹/₄ SE¹/₄, Sec. 33; 13.4 ac., SW¹/₄ SW¹/₄, Sec. 34, all in T.2S., R.35E., M.D.B.&M. See map under Permit 3158.**
 9. Use will be from **January 1 to December 31** of each year.
 10. Use was permitted from **April 1 to November 1** of each year.
 11. Description of proposed works **Diversion structure on Leidy (aka Robinson) Creek, thence by pipeline, booster pump and ditches to the proposed place of use.**
 12. Estimated cost of works **\$75,000.00**
 13. Estimated time required to construct works **Three (3) years**
 14. Estimated time required to complete the application of water to beneficial use **Five (5) years**
 15. Remarks: **Refer to Attachment "B"**

By **Gregory M. Bilyeu**
s/Gregory M. Bilyeu
500 Damonte Ranch Parkway, #1056
Reno, NV 89521

Compared cmf/sam lb/ **gkl**

Protested 2/5/2004 by: US Bureau of Land Management Pro. Overruled 10/21/04 See Ruling 5432



Attachment "A"

7. Proposed Place of Use:

T. 2S., R.35E., M.D.B. & M.

- Section 22: S ½ NE ¼, portion of the NW ¼ SE ¼, SW ¼ SE ¼, E ½ SE ¼
- Section 23: S ½ SW ¼
- Section 26: W ½
- Section 27: All
- Section 28: E ½ (east of State Route 264)
- Section 33: E ½ (east of State Route 264)
- Section 34: All

*See TEC 16
of 2-19-04
a 8*

T. 3S., R.35E., M.D.B. & M.

- Section 3: N ½, N ½ SW ¼, NW ¼ SE ¼
- Section 4: E ½ NE ¼, portion of the W ½ NE ¼ (east of State Route 264),
portion of the NW ¼ SE ¼ (east of State Route 264), portion of NE
¼ SE ¼

Attachment "B"

15. Remarks

Applications to change Proof 01312 and Permits 2889, 3158, 3225, 10575, through 10578, 11219 through 11223, 11574, 12599 through 12601, 12640, 13296, 19337, 19338, 20040, 23311, 23500, 29541, 40188, 40190, 42168 through 42170 and 48022 are being filed to commingle the duties within a common place of use. These applications are being filed in compliance with the State Engineer's ruling associated with the reinstatement of Permits 44540 et al and are in replacement of Applications 58194 through 58206 and 58208 through 58226 originally filed in 1992.

The total existing irrigated acreage under the base rights being changed is 1594.80 acres. Water from these rights will be commingled with that from Applications 70164 through 70168, and with Applications to Change Permits 46372, 47982, and 54330 for a total of 2482.75 acres within the proposed place of use. The duty of these rights will not exceed 5 acre-feet from any and all sources.

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