No. 71058

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 APR 15 2004

Returned to applicant for correction

Corrected application filed

Map filed APR 16 2004 under 71051

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The applicant **Michael J Chilton**, hereby make application for permission to change the **Point of Diversion and place of use** of water heretofore appropriated under **Permit #69452**

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1. The source of water is **Underground**

2. The amount of water to be changed **0.6824 CFS 208.0 afa**

3. The water to be used for **Irrigation & Domestic**

4. The water heretofore permitted for **Same**

5. The water is to be diverted at the following point **within the NE¼ NE¼ of Section 25 T.13N, R.23E., M.D.B&M at a point from which the NE corner of said Section 25 bears N 88°52'21" E a distance of 1206.27 feet**

6. The existing permitted point of diversion is located within **SE¼ SE¼ of Section 24 T.13N, R.23E., M.D.B&M or at a point from which the SW corner of said Section 24 bears S 89°05'00" W a distance of 3673.00 feet**

7. Proposed place of use **SE¼ SW¼, SE¼ of Section 24; the NW¼, SW¼, W½ SE¼, NE¼ of Section. 25, T.13N, R.23E, MDB&M**

8. Existing place of use **within portion of the SE¼ of Section 24; NE¼ and E½ of NW¼ of Section 25 of T.13N, R.23E., M.D.B&M**

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

10. Use was permitted from **January 1st** to **December 31st** of each year.

11. Description of proposed works **Existing well needs repair. Rebuild or replace pivots**

12. Estimated cost of works **$60 to 80 Thousand dollars**

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: **Refer to maps filed July 21st 1982 Under 37028 This application corrects the survey at the point of diversion**

By **Wm. Michael Donovan**
s/Wm. Michael Donovan, Jr.
P.O. Box 1
Silver City, Nev. 89428

Compared **cmf**/sam lt/**gkl**

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 to change the point of diversion and place of use of the waters of an underground source as heretofore granted under Permit 69452 is issued subject to the terms and conditions imposed in said Permit 69452 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 71051, 71052, 71053, 71054, 71055, 71056, 71057 and 71058 shall not exceed 1,918.0 acre-feet per year.

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(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 **0.6824** cubic feet per second, or **208.0 acre-feet per year.**

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

September 19, 2008

Proof of completion of work shall be filed on or before:

October 19, 2008

Water must be placed to beneficial use on or before:

September 19, 2013

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

October 19, 2013

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

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **19th** day of **September** A.D. **2005**

H. Ricci, P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____