



THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: JOHN & MARY BOGARD
Source: UNDERGROUND
Basin: SMOKE CREEK DESERT
Manner of Use: IRRIGATION
Period of Use: January 1st to December 31st
Priority Date: 12/21/1987

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 place of use of the waters of an underground source as heretofore granted under Permit 51639, is issued subject to the terms and conditions imposed in said Permit 51639 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 weir or other type of measuring device at or near the well to facilitate the measurement and control of the water. If well is flowing, a valve must be installed and maintained to prevent waste. The State reserves the right to regulate the use of the water under this proposed change 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 51641, 77782 and 78054 shall not exceed 102.20 acre-feet annually for the irrigation of 25.55 acres.

The total combined duty of water from this well under Permits 71123 and 78054 shall not exceed 37.24 acre-feet annually.

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

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

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

August 13, 2010

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

August 13, 2011

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

August 13, 2011

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of August, A.D. 2009


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office FEB 18 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAR 03 1988 under 04627

The applicant John & Mary Bogard
Box 4 of Genlach
Street Address or P.O. Box City or Town
NV 89412, hereby make(s) application for permission to change the
State and Zip Code

- Point of diversion Place of use Manner of use of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

51639

- The source of water is underground
Name of stream, lake, underground, spring, or other source. 28.96
- The amount of water to be changed 2.04 cfs
Second foot, acre-foot. One second foot equals 448.83 gallons per minute. 28.29 cfs
- The water to be used for irrigation & domestic
Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use.
- The water heretofore used for irrigation & domestic
If for stock, state number and kind of animals.
- The water is to be diverted at the following point (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)
SW 1/4 SW 1/4 Sec. 26 T33N R22E M1381M at a point from which the S.W. cor of said sec 26 bears S84°W 1180 ft
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

unchanged

REC per phone call

21-1112

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

SW¹/₄ SW¹/₄ Sec. 26, SE¹/₄ SW¹/₄ SW¹/₄ SE¹/₄ and
the SE¹/₄ SE¹/₄ of Sec. 27, NW¹/₄ NE¹/₄ Sec. 34, NW¹/₄ NE¹/₄
Sec 35, T33N R22E MDB4M

REL
pay
page

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

SW¹/₄ SW¹/₄ Sec. 26, NW¹/₄ ~~SW¹/₄~~ Sec. 35, SE¹/₄ SW¹/₄ and
SW¹/₄ SE¹/₄ Sec. 27, NW¹/₄ NE¹/₄ Sec. 34, ~~SW¹/₄ SE¹/₄ Sec. 35~~
~~SW¹/₄ SE¹/₄ Sec. 34~~ all in T33N R22E MDB4M

REL
pay
page

9. Proposed use will be from Jan 1 to Dec 31 of each year.

10. Existing use permitted from Jan 1 to Dec 31 of each year.

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.)

existing well complete
completed

12. Estimated cost of works _____

13. Estimated time required to construct works _____
If well completed, describe well. 5" flowing well & pump

14. Estimated time required to complete the application of water to beneficial use 2 years

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):
(Failure to provide a detailed description may cause a delay in processing.)

water is being used to flood
irrigate pasture grass
(see map # 04627) ↘

16. Miscellaneous remarks: Our intention is to use water within entire land not restricted to smaller areas delineated by dark lines on map.

775 597-2500
Phone No.

E-mail

By John Boscard
Print or type name clearly
[Signature]
Signature, applicant or agent
Planet X Battery
Company Name
POB 4
Street Address or P.O. Box
Gealech, WV 89412
City, State, Zip Code

STATE ENGINEER OFFICE
2009 FEB 18 PM 11:23

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION