

PETITION SEEKING)
RECORDATION OF A)
POINT OF DIVERSION)
AND MEANS OF)
CONVEYANCE CHANGE)
THAT TOOK PLACE)
PRIOR TO 1965 FOR THE)
JIMMY JOE)
APPROPRIATION, PERMIT)
NO. 3214, DIVERTING)
FROM NOGGIN CREEK,
TRIBUTARY BONK RIVER,
THROUGH THE NOJUMP
DITCH, WITH PRIORITY OF
MAY 16, 1905, TO BE
CHANGED TO THE
DOCTOR PUMP.

BEFORE THE
STATE BOARD OF
CONTROL
CHEYENNE, WYOMING

O.R. 2, P. 446; C.R. 3, P. 435; PROOF NO. 3491

STATE OF WYOMING)
)
COUNTY OF FREMONT)

SS

COMES NOW Mama Said, LLC of Box 00, Split Rock, Wyoming, 84141, who being duly sworn on oath according to law does hereby make the following statement of facts and petition:

1. THAT Mama Said, LLC is the owner of the lands to which the appropriation is appurtenant, as evidenced by the attached proof of ownership from the County Clerk of Fremont County, Wyoming.
2. THAT the appropriation for which a recordation of a change in point of diversion and means of conveyance prior to 1965 is sought is the Jimmy Joe Appropriation, Permit No. 3214, adjudicated under Proof No. 3491, in the amount of 0.89 c.f.s. for the irrigation of 62.0 acres, diverting from the Noggin Creek, tributary Bonk River, through the Nojump Pipeline, with priority of May, 16, 1905, and of record in Order Record 2, page 446; Certificate Record 3, page 435 describing the lands irrigated as follows:

<u>Township 30 North, Range 98 West</u>		
Section 19:	SW ¹ / ₄ SW ¹ / ₄	32.0 acres
	SE ¹ / ₄ SW ¹ / ₄	10.0
Section 30:	NW ¹ / ₄ NW ¹ / ₄	<u>20.0</u>
Total:		62.0 acres (0.89 c.f.s.)

3. THAT your petitioner requests recordation of a change of point of diversion and means of conveyance that occurred prior to 1965 for the Jimmy Joe Appropriation, which diverts from Noggin Creek through the **Nojump Ditch**

at a point described as **North 12° 30' East, 1620.0 feet distant from the Southwest Corner of Section 28, Township 30 North, Range 99 West**, and situated in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28, to the **Doctor Pump**, diverting from the same source of supply approximately $\frac{1}{2}$ mile downstream at a point described as **North 15° 20' East, 1056.0 feet distant from Southwest Corner of Section 28, Township 30 North, Range 99 West**, and situated in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 28.

The lands for which this change took place and recordation is requested are described as follows:

<u>Township 30 North, Range 98 West</u>	
Section 19: SW $\frac{1}{4}$ SW $\frac{1}{4}$	32.0 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$	10.0
Section 30: NW $\frac{1}{4}$ NW $\frac{1}{4}$	<u>20.0</u>
Total:	62.0 acres (0.89 c.f.s.)

4. THAT the reason for the change of diversion location of the Nojump Ditch was due to significant flooding in the area that washed out diversion structures and migrated the channel such that the record location of the point of diversion of the Nojump Ditch was no longer on the creek.
5. THAT your petitioner has evidence that this change occurred at in 1952 or 1953, and proof that this change occurred at that time accompanies the petition. Further, your petitioner would like to memorialize the point of diversion for the Nojump Ditch, which has been the actual diversion point since prior to 1965.
6. THAT a map does not accompany this petition, since the new point of diversion has a current and accurate legal survey tie to a known corner of the public land survey that is on file in the State Engineer's Office and/or the State Board of Control, and because the entire appropriation(s) or all adjudicated acreage under this facility located within the affected quarter-quarters has been included in this request.
7. THAT the appropriation involved has been diverted at least once in the last five years when water was available through the new point of diversion and means of conveyance.
8. THAT the granting of this petition has not injured any other appropriators and consent to this change will not be sought due to the lack of statutory requirement for consent prior to 1965.

It is the prayer of your petitioner that this petition seeking recordation of a change of point of diversion and means of conveyance prior to 1965, as outlined in Paragraph 3 above, be allowed without loss of priority, and that a proper Order of the Board be entered recording same.

Respectfully submitted,

print name (and title, if relevant)

sign name

STATE OF WYOMING

COUNTY OF _____

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The foregoing		was acknowledged before me
(document type)		
by _____,		
	OR	
The foregoing		was acknowledged before me
(document type)		
by	serving in their role as	
of/for		(title)
(company or entity)	*	

this _____ day of _____, 20_____.

Witness my hand and official seal:

_____.

Notarial Officer

My commission expires: _____