

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

JUL 8 1980

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed Map filed SEP 17 1980 under 41661

The applicant George I. Benny - c/o Double Diamond Development Company

Suite 350, Arlington Towers, 100 North of Arlington - Reno
Street and No. or P.O. Box No. City or Town

Nevada 89501 here by make^S application for permission to change the
State and Zip Code No.

Place and Manner of Use 708

of water heretofore appropriated under Claim No. 707 of the Truckee River Final

Decree Docket in Equity A-3
(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 Steamboat Creek
Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed 8.303 second feet, 1328.4 acre-feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-Municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore used for As Decreed
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 SW $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 16, T18N, R20E, MDB&M at a point from which the SW corner of said Section 16 bears Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be S 85°58'25" W., a distance of 3640'.
-stated.

6. The existing point of diversion is located within
If point of diversion is not changed, do not answer.

7. Proposed place of use See Attachment "A"
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use See Attachment "B"
Describe by legal subdivisions. If presently used for irrigation, state number of acres irrigated.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use has been from As Decreed to 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.) Headgates, Ditches and Pipelines to treatment works.
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

- 12. Estimated cost of works..... \$10,000.00
- 13. Estimated time required to construct works..... 1 year
- 14. Estimated time required to complete the application of water to beneficial use..... 5 years
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Water to be used in proposed Double Diamond Development consisting of 8000 residential units, 1315 acres of open space and 489 acres of commercial and industrial properties. Waters not used directly will be recharged to the ground-water basin for "carry over" storage and withdrawal during critical surface water periods.

Compared ha/ jw gk/bc Applicant George I. Benny
 By s/ Brien B. Walters
 Brien B. Walters (Agent)
 248 W. 1st St., Suite 106
 Reno, Nevada 89501
 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 manner and place of use of the waters of the Truckee River (Steamboat Creek) as heretofore granted under Claims 707 and 708, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

Measuring devices with totalizing capability shall be installed and accurate measurements of all water diverted and placed to beneficial use shall be recorded and submitted to the State Engineer as required.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 8.303 cubic feet per second, but not to exceed 1,328.4 acre-feet annually as decreed.

Actual construction work shall begin on or before..... N/A
 Proof of commencement of work shall be filed before..... N/A
 Work must be prosecuted with reasonable diligence and be completed on or before..... July 22, 1983
 Proof of completion of work shall be filed before..... August 22, 1983
 Application of water to beneficial use shall be made on or before..... July 22, 1988
 Proof of the application of water to beneficial use shall be filed on or before..... August 22, 1988
 Map in support of proof of beneficial use shall be filed on or before..... August 22, 1988

Commencement of work filed..... IN TESTIMONY WHEREOF, I PETER G. MORROS
 Completion of work filed..... State Engineer of Nevada, have hereunto set my hand and the seal of
 Proof of beneficial use filed..... my office, this 22nd day of JULY
 Cultural map filed..... A.D. 19 81
 Certificate No. Issued..... Abrogated By 10/14/88 State Engineer

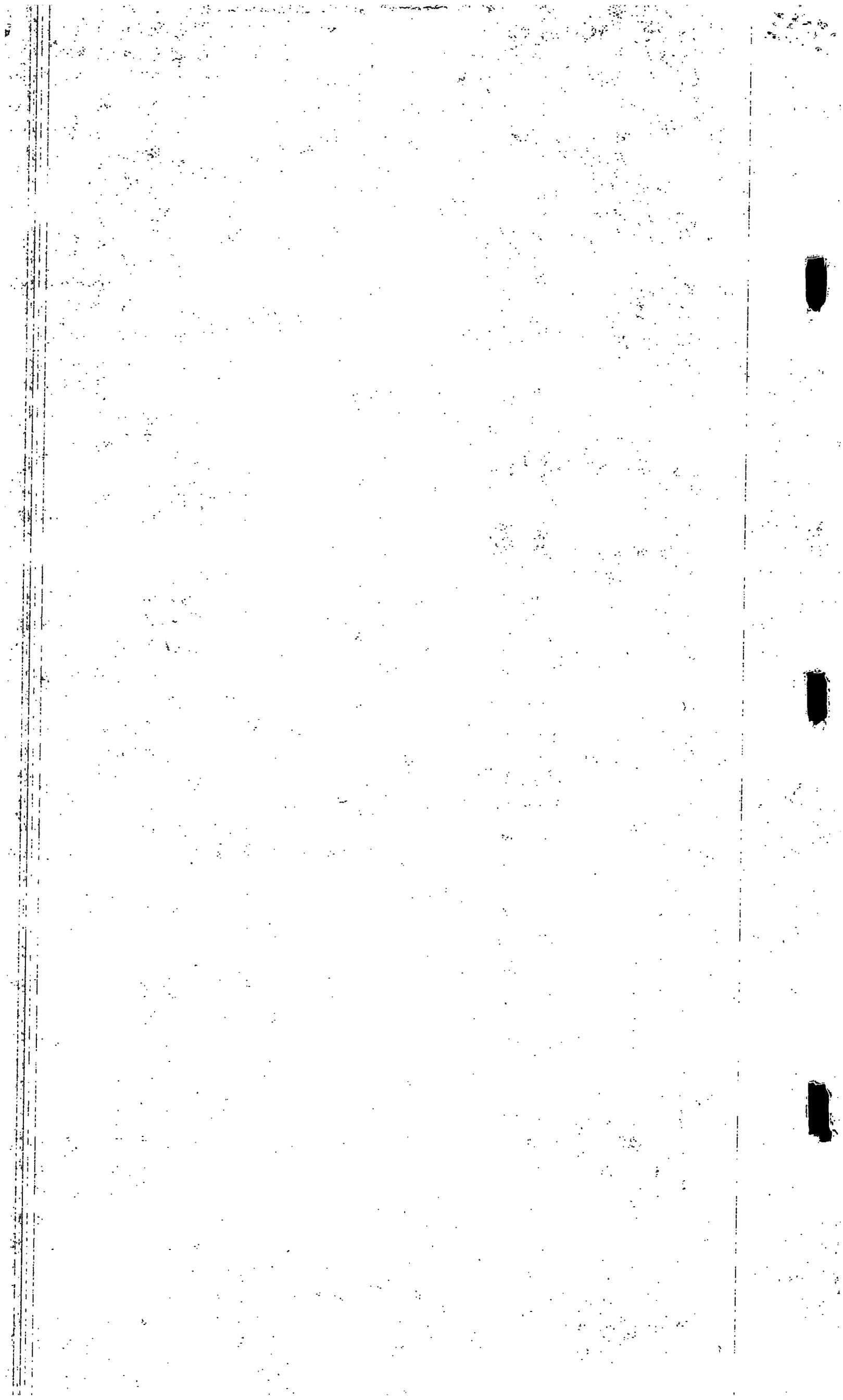
CANCELLED SEP 29 1983 BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT
 Peter G. Morros STATE ENGINEER
 Cancellation received 12-13-84

ATTACHMENT A - ANSWER TO QUESTION 7

<u>USE WITHIN</u>	<u>1/4 of 1/4</u>	<u>SECTION</u>	<u>T.18N., R.20E., M.D.B.& M</u>
	SE - NW	4	
	SE - NE	4	
	S 1/2	4	
	E 1/2 - NE	5	
	E 1/2 - SE	5	
	SW - SE	5	
	NW - SE	5	
	NE 1/4	8	
	N 1/2 - SE	8	
	SW - SE	8	
	SE - SE	8	
	SE - SW	8	JDS
	NE - SW	8	
	ENTIRE SECTION	9	
	N 1/2	16	
	NW - SE	16	
	NE - SE	16	
	NW - SW	16	
	NW - NE	17	
	NE - NE	17	
	SE - NE	17	
	SW - NE	17	
	NE - SE	17	
	SE - SE	17	
	SW - SE	17	
	NW - SE	17	
	NW - SW	33	T.19N., R.20E., M.D.B.&M.

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<u>USE WITHIN</u>	<u>1/4 of 1/4</u>	<u>SECTION</u>	<u>T.19N., R.20E., M.D.B.&M.</u>
	NE-SW	33	
	SE-SW	33	
	SW-SW	33	



ATTACHMENT "B" - Answer to Question 8

<u>ACREAGE</u>	<u>1/4 of 1/4</u>	<u>SECTION</u>	<u>T 18N, R 20E MDB&M</u>
2.1	NW-SE	16	
40.0	NW-NE	16	
40.0	NE-NE	16	
40.0	SE-NE	16	
40.0	SW-NE	16	
40.0	SE-SE	9	
40.0	SW-SE	9	
50.0	N1/2-SE	9	
40.0	SE-NE	9	

332.10 Acres Total

