ASSIGNED

Serial No. 41672

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 JUL 8 1980

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 Arlington - Reno
Street and No. or P.O. Box No. City or Town

Nevada 89501 hereby makes application for permission to change the
State and Zip Code No.

Place and Manner of Use & Point of diversion

of water heretofore appropriated under Claim No. 730 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 waste and flood waters
Name of stream, lake, underground, spring or other source.

2. The amount of water to be changed 8.01 second feet, 1283.6 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 SE SW Section 8, T 18N, R 20E, MDB&M at a point from which the center of said section 8 bears N 19°32'E a distance of 1771 feet.
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 stated.

6. The existing point of diversion is located within As Decreed
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 groundwater basin for "carry over" storage and withdrawal during critical surface water periods.

Compared sg/ha

Applicant George I. Benny

By s/ Brien B. Walters
Brien B. Walters (Agent)
248 W. 1st St., Sutie 106
Reno, Nevada 89501

DENIAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby ~~grant~~ deny the same, subject to the following limitations and conditions:

Application denied on the grounds set forth in the verbal ruling at the hearing held on April 16, 1981, before the State Engineer.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed ..... cubic feet per second

Actual construction work shall begin on or before

Proof of commencement of work shall be filed before

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

Proof of completion of work shall be filed before

Application of water to beneficial use shall be made on or before

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

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

Commencement of work filed
Completion of work filed
Proof of beneficial use filed
Cultural map filed
Certificate No. Issued

IN TESTIMONY WHEREOF, I, PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 13th day of JULY, A.D. 1981

Peter G. Morros
State Engineer

2407 (Rev. 10-79)

ATTACHMENT A - ANSWER TO QUESTION 7

USE WITHIN	1/4 of 1/4	SECTION	T.18N., R.20E., M.D.B.& M.
	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	
	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.

USE WITHIN	1/4 of 1/4	SECTION	T.19N.,R20E.,M.D.B.&M.
	NE-SW	33	
	SE-SW	33	
	SW-SW	33	

ATTACHMENT "B" - Answer to Question 8

Acreage	1/4 of 1/4	Sec	T18N, R20E, MDB & M
20.7	SE-NW	4	
30.8	NE-SW	4	
8.2	NW-SW	4	
21.0	SE-SW	4	
33.2	SW-SW	4	
27.3	NW-NW	9	
30.0	NE-NW	9	
36.5	SE-NW	9	
40.0	SW-NW	9	
28.7	NW-SW	9	
39.5	NE-SW	9	
5.0	SE-SW	9	

320.9 Acres Total