FIRST AMENDED ASSIGNED

Serial No. 47887

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 MAR 15 1984

Returned to applicant for correction

Corrected application filed JUN 05 1985 Map filed JUN 05 1985

The applicant MILLS & MILLS, INC.

3800 York Ln. (Street and No. or P.O. Box No.) of Fallon (City or Town)

Nevada 89406 (State and Zip Code No.) hereby make application for permission to change the

place of use of a portion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Truckee-Carson Irrigation District No. 556-3-A, 556-3-B, 556-6, 139-A, 139-A-1, United States of America v. Orr Water Ditch Co. in Equity No. A.3 Claim No. 3; United States of America v. Alpine Land & Reservoir Co. D.C. No. D-183 BRT

(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 Truckee River & Carson River (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 63.45 acre feet (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for as decreed (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted 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 Lahontan Dam being within the SW¼ SE¼, Section 33, Township 19 North, Range 26 East, M.D.B.&M. (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 permitted point of diversion is located within no change (If point of diversion is not changed, do not answer.)
7. Proposed place of use All in Township 19 North, Range 28 East, M.D.B.&M. - Section 27 - NW¼ NW¼, 3.5 acres Section 21 - SW¼ NE¼, 2.6 acres; SW¼ SE¼, 3.2 acres Section 28 - NE¼ NE¼, 3.1 acres; NW¼ NE¼, 1.7 acres (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use 6.9 acres NE¼ NE¼, 1.1 acres SE¼ NE¼, Section 15, Township 18 North, Range 28 East, M.D.B.&M.; 4.2 acres NW¼ NW¼, 1.9 acres NE¼ NW¼, Section 27, Township 19 North, Range 28 East, M.D.B.&M. (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
9. Use will be from as decreed (Month and Day) to (Month and Day) of each year.
10. Use was permitted from as decreed (Month and Day) to (Month and Day) of each year.
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.) dam, canal & ditches (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works complete
13. Estimated time required to construct works complete

14. Estimated time required to complete the application of water to beneficial use 2 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 will be delivered to the proposed place of use via the "T" Line Canal.

By Truckee-Carson Irrigation District
P.O. Box 1356 agent
Fallon, NV 89406

Compared jm/jf js/se

Protested

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 the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada by and through pending litigation.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 63.45 acre-feet annually ~~cubic feet per second~~ As Decreed

Work must be prosecuted with reasonable diligence and be completed on or before March 15, 1988

Proof of completion of work shall be filed before April 15, 1988

Application of water to beneficial use shall be made on or before March 15, 1990

Proof of the application of water to beneficial use shall be filed on or before April 15, 1990

Map in support of proof of beneficial use shall be filed on or before April 15, 1990

Completion of work filed APR 29 1988

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 23rd day of January, A.D. 19 87

State Engineer

2407 (Rev. 6-81)

Abstracted By port 50029 2.16 AFA cert 10/20/99
cert 49284 4-13-98
71027-T 28.0 AF