

SECOND AMENDED
APPLICATION FOR PERMIT

Nº 49702

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office..... FEB 10 1986
Returned to applicant for correction..... MAR 03 1986
Corrected application filed..... APR 30 1986
Map filed..... APR 30 1986

The applicant..... INCLINE VILLAGE GENERAL IMPROVEMENT DISTRICT
..... P.O. Drawer P..... of..... Incline Village
..... Street and No. or P.O. Box No. City or Town
..... Nevada 89450....., hereby make S application for permission to appropriate the public
..... State and Zip Code No. waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorpora-
..... tion; if a copartnership or association, give names of members.)... A municipal organization
..... authorized by Chapter 318, NRS. Organized June 6, 1961; Washoe County, Nevada

1. The source of the proposed appropriation is SARATOGA HOT SPRINGS CREEK
..... Name of stream, lake, spring, underground or other source

2. The amount of water applied for is 0.78 second-feet
..... One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet.....
..... OTHER USE:

3. The water to be used for Non-consumptive recreational and wildlife habitat
..... Irrigation, power, mining, manufacturing, domestic, or other use. Must limit to one use.

4. If use is for:
(a) Irrigation, state number of acres to be irrigated.....
(b) Stockwater, state number and kinds of animals to be watered.....
(c) Other use (describe fully under "No. 12. Remarks")... See #12 Remarks
(d) Power:
(1) Horsepower developed.....
(2) Point of return of water to stream.....

5. The water is to be diverted from its source at the following point.....
..... 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 so stated.
..... (See Attachment)

6. Place of use..... IVGID PROPERTY DESCRIBED AS: (See Attachment)
..... Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about January 1, and end about December 31, of each year.
..... Month and Day Month and Day

8. 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.) Small earth dike with weir plate
..... State manner in which water is to be diverted, i.e. diversion structure, ditches and
..... flumes, drilled well with pump and motor, etc.

9. Estimated cost of works..... \$1000

10. Estimated time required to construct works.....two (2) days
If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use.....immediate

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

(See Attachment)

By.....s/ Joseph Borgerding
P.O. Drawer P
Incline Village, NV. 89450

Compared.....js/se.....js/bl.....

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 is issued subject to all existing rights on the source. It is understood that the 0.78 c.f.s., herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted 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 issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.78.....cubic feet per second, but limited to 56.47 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....December 22, 1987

Proof of completion of work shall be filed on or before.....January 22, 1988

Application of water to beneficial use shall be made on or before.....December 22, 1988

Proof of the application of water to beneficial use shall be filed on or before.....January 22, 1989

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

Completion of work filed.....FEB 19 1988

Proof of beneficial use filed.....2-22-89

Cultural map filed.....

Certificate No. 13047 Issued OCT 10 1991

IN TESTIMONY WHEREOF, I.....PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this.....22nd.....day of.....December.....

A.D. 19 86

[Signature]
State Engineer

Sec 20 N.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ section
 S.E. $\frac{1}{4}$ of the N.E. $\frac{1}{4}$ section
 N.E. $\frac{1}{4}$ of the S.E. $\frac{1}{4}$ section
 and portions of the N.W. $\frac{1}{4}$
 of the N.E. $\frac{1}{4}$, the S.W. $\frac{1}{4}$
 of the N.E. $\frac{1}{4}$ and the N.W. $\frac{1}{4}$
 of the S.E. $\frac{1}{4}$ of Sec 20
 totalling approximately 65.4
 acres

Sec 21 N.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ section
 N.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ section
 S.W. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ section
 S.E. $\frac{1}{4}$ of the N.W. $\frac{1}{4}$ section
 N.W. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ section
 N.E. $\frac{1}{4}$ of the S.W. $\frac{1}{4}$ section

ITEM #12:

The appropriated water from un-named hot springs would not be diverted from its past or present flow direction. Appropriation of this water would allow it to continue its present low path through natural channels, ditches and a series of existing artificial and natural ponds to an area of return to the underground. The shallow ponds provide marsh and wetlands areas for recreation and waterfowl habitat and nesting.

This spring water is supplemented by about 1.54 cfs of treated sewage effluent imported into the Carson River Basin from the Tahoe Basin directly to the place of use.

ATTACHMENT TO SERIAL NO. 49702

SARATOGA HOT SPRINGS CREEK

ITEM #5:

1800' from the common corner of Section 20 (S/E corner), Section 21 (S/W corner), Section 29 (N/E corner), and Section 28 (N/W corner) on a bearing of: N 42° 34' E. within the N/W ¼ of S/W ¼ of Section 21, T.14N., R.20E., M.D.B. and M.

ITEM #6:

IVGID PROPERTY DESCRIBED AS: Situated in the County of Douglas, State of Nevada as follows, to-wit:

All that real property, being a portion of Sections 16, 17, 20 and 21, T14N., R20E., M.D.B. and M., more particularly described as follows:

Commencing at the Southwest section corner of Section 21, T14N., R20E., as shown on G.L.O. resurvey accepted March 20, 1918: thence N 89° 59' 00" E 2652.13 feet; thence N 0° 04' 20" W 1322.79 feet to the True Point of Beginning; thence S 89° 55' 15" W 2648.89 feet; thence S 89° 04' 59" W 2319.98 feet; thence N 8° 42' 12" E 9048.23 feet to the approximate high water mark of the Carson River; thence N 48° 23' 48" E 535.39 feet; thence N 89° 51' 04" E 525.00 feet to the Northwest corner of Section 16, T14N., R20E.; thence N 89° 51' 05" E 2693.10 feet to the North ¼ corner of Section 16, T14N., R20E.; thence S 0° 07' 04" W 9267.11 feet to the True Point of Beginning, more commonly known as "Wetlands." Containing 906.33 acres more or less.

All use within the following 40 acre legal subdivisions:

| | |
|--|------------------------------|
| Sec 16 | N.W. ¼ of the N.W. ¼ section |
| | N.E. ¼ of the N.W. ¼ section |
| | S.W. ¼ of the N.W. ¼ section |
| | S.E. ¼ of the N.W. ¼ section |
| | N.W. ¼ of the S.W. ¼ section |
| | N.E. ¼ of the S.W. ¼ section |
| | S.W. ¼ of the S.W. ¼ section |
| | S.E. ¼ of the S.W. ¼ section |
| | Sec 17 |
| S.E. ¼ of the N.E. ¼ section | |
| N.E. ¼ of the S.E. ¼ section | |
| S.E. ¼ of the S.E. ¼ section | |
| and portions of the S.W. ¼ of the N.E. ¼, the N.W. ¼ of the S.W. ¼ and the S.W. ¼ of the S.W. ¼ of Section 17 totalling approximately 14.6 acres | |