Serial No. 50005

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 16 1986

Returned to applicant for correction

Corrected application filed Map filed JUL 16 1986

The applicant ROBERT SMITH

7250 Curry Rd. (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

a 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. 174 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

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

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 87.44 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, (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.)

   Section 33, Township 19 North, Range 26 East, M.D.B.&M.
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 SE¼ NW¼ Section 34, Township 18 North, Range 28 East, M.D.B.&M. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)

   8.38 ac., NE¼ SW¼ Section 34, Township 18 North, Range 28 East, M.D.B.&M. 11.05 ac.
8. Existing place of use NW¼ SE¼ Section 34, Township 18 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.)

   9.85 ac., NE¼ SE¼, Sec. 34, T.18N., R.28E., M.D.B.&M. 3.88 ac., SW¼ NE¼ Sec. 34, T.18N., R.28E., M.D.B.&M 5.7 ac.
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 "E" Line Canal.

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

Compared js/jm ~~pm/se~~

Protested 9/2/86 by The Pyramid Lake Paiute Tribe of Indians,
Pro. overruled 6/2/88,
Ruling No. 3528

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. This permit is also issued subject to the State Engineer's Ruling No. 3528 dated June 2, 1988.

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 87.435 acre ~~cubic~~ feet ~~per second~~, ~~as decreed.~~

Work must be prosecuted with reasonable diligence and be completed on or before June 2, 1990

Proof of completion of work shall be filed before July 2, 1990

Application of water to beneficial use shall be made on or before June 2, 1992

Proof of the application of water to beneficial use shall be filed on or before July 2, 1992

Map in support of proof of beneficial use shall be filed on or before July 2, 1992

Completion of work filed MAY 13 1990

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 2nd day of June, A.D. 19 88

State Engineer

2407 (Rev. 6-81)

WITHDRAWN BY [illegible] MAR 03 1993
STATE ENGINEER portion 27.225 ofa

WITHDRAWN BY [illegible] OCT 12 1994
STATE ENGINEER portion being 14.4 ofa