

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 23 1987

Returned to applicant for correction OCT 9 1987

Corrected application filed Map filed DEC 1 1987 under 51137

The applicant DAVID L. & CHRISTINE L. MATLEY FAMILY TRUST 4155 Allen Road of Fallon Nevada 89406

hereby make application for permission to change the a place of use of a portion

of water heretofore appropriated under Truckee-Carson Irrigation District No. 128; 130

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

2. The amount of water to be changed 44.78 acre feet

3. The water to be used for as decreed

4. The water heretofore permitted for as decreed

5. The water is to be diverted at the following point Lahontan Dam being within the SW 1/4 SE 1/4 Section 33, Township 19 North, Range 26 East, M.D.B.&M.

6. The existing permitted point of diversion is located within no change

7. Proposed place of use in Section 12, Township 18 North, Range 28 East, M.D.B.&M. 9.95 ac., NW 1/4 SW 1/4

8. Existing place of use in Township 18 North, Range 28 East, M.D.B.&M. in Section 12; 2.96 ac., NE 1/4 SW 1/4; 1.15 ac., SE 1/4 SW 1/4; 2.53 ac., SW 1/4 SW 1/4; 1.93 ac., NW 1/4 SW 1/4; in Section 13; 1.38 ac., NW 1/4 NW 1/4

9. Use will be from as decreed to of each year

10. Use was permitted from as decreed to 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

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 " L" Line Canal.

/s David L. Matley
/s David & Christine Matley Family Trust
By Truckee-Carson Irrigation District
P.O. Box 1356
Fallon, NV 89406

Compared jm/ pm pm/bc

Protested August 13, 1987 by The Pyramid Lake Paiute Tribe of Indians
Pro. overruled 4/14/89, Ruling No. 3598

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. 3598 dated April 14, 1989.

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 44.78 acre-feet ~~cubic feet per second~~ as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before April 26, 1991

Proof of completion of work shall be filed before May 26, 1991

Application of water to beneficial use shall be made on or before April 26, 1993

Proof of the application of water to beneficial use shall be filed on or before May 26, 1993

Map in support of proof of beneficial use shall be filed on or before May 26, 1993

Completion of work filed JUL 3 1990 IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of
Proof of beneficial use filed my office, this 26th day of April

Cultural map filed
Certificate No. Issued
A.D. 19 89
Peter G. Morros
State Engineer

2407 (Rev. 6-81)
See Supplemental Ruling
on Remand #3773, 2/8/91

WITHDRAWN BY APPLICANT SEP 18 1990
STATE ENGINEER portion 11.25 28