

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE ASSIGNED STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office SEP 28 1987

Returned to applicant for correction

Corrected application filed SEP 28 1987

The applicant L.O. & M.E. Mc Cartney of Fernley Nevada 89406 hereby make application for permission to change the

place of use of a portion of water heretofore appropriated under Truckee-Carson Irrigation District No. 1042 United States of America v. Orr Water Ditch Co. in Equity No. A.3 Claim No. 3

1. The source of water is Truckee River
2. The amount of water to be changed 22.05 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 Derby Dam being within the N1/2 SW1/4, Section 19, Township 20 North, Range 23 East, M.D.B.&M.

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

7. Proposed place of use 4.9 Ac. in the SE1/4-NW1/4 of Section 24 T. 20 N., R. 24 E., M.D.B.&M.

8. Existing place of use 0.80 Ac. in the NW1/4-NW1/4; 4.10 Ac. in the NE1/4-NW1/4 of Section 24 T. 20 N., R. 24 E. M.D.B.&M.

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 Truckee Canal

Compared jm/ pm pm/bc

By s/ L.O. Mc Cartney Truckee-Carson Irrigation District P.O. Box 1356 Agent Fallon, NV 89406

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. 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 22.05 acre-feet cubic feet per second x as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before April 25, 1991

Proof of completion of work shall be filed before May 25, 1991

Application of water to beneficial use shall be made on or before April 25, 1993

Proof of the application of water to beneficial use shall be filed on or before May 25, 1993

Map in support of proof of beneficial use shall be filed on or before May 25, 1993

Completion of work filed MAY 30 1991 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 25th day of April

Cultural map filed

Certificate No. Issued

A.D. 19 89 [Signature] State Engineer

2407 (Rev. 6-81) See Supplemental Ruling on Remand #3778; 2/10/91