

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. SEP 26 1989
Returned to applicant for correction. NOV 15 1989
Corrected application filed. JAN 11 1990 Map filed. JAN 11 1990

The applicant Rainbow Trust
PO Box 1248 of Reno
Street and No. or P.O. Box No. City or Town

Nevada 89504 hereby make s application for permission to change the
State and Zip Code No. place of use of a portion

Point of diversion, manner of use, and/or place of use
United States of America V. Orr Water Ditch Co. in
of water heretofore appropriated under.
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and equity No. A. 3 Claim No. 3. identify right in Decree.)

1. The source of water is Truckee River
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed. 738 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. Derby Dam in the N 1/2 of the SW 1/4 of Section 19
Describe as being within a 40-acre subdivision of public survey and by course and Township 20 North Range 23 East M. D. M. distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within Same
If point of diversion is not changed, do not answer.

7. Proposed place of use. SEE ATTACHMENT
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use. SEE ATTACHMENT
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 to of each year.
Month and Day Month and Day

10. Use was permitted from as decreed to of each year.
Month and Day Month and Day

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.) existing ditches, piping and sprinkler systems
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 \$100,000.00

13. Estimated time required to construct works 5 years

14. Estimated time required to complete the application of water to beneficial use.....10 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 to be used for irrigation and maintenance of 18 hole golf course, driving range and associated landscaping.

By s/George H. Denson George H Denson PO Box 528 Yerington, Nevada 89447

Compared..... pm/ se am/se

Protested 4/3/90 by TCID

Pro. Overruled 4/9/91

See Ruling #3791-A

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. 3791-A, dated April 9, 1991.

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

This permit is also issued subject to NRS 533.370 1(b).

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....738 cubic feet per second acre-feet as decreed.....

Work must be prosecuted with reasonable diligence and be completed on or before..... March 25, 1993

Proof of completion of work shall be filed before..... April 25, 1993

Application of water to beneficial use shall be made on or before..... March 25, 1996

Proof of the application of water to beneficial use shall be filed on or before..... April 25, 1996

Map in support of proof of beneficial use shall be filed on or before..... April 25, 1996

Completion of work filed..... MAY 14 1996 IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P. E., State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this 25th day of March

Cultural map filed..... A.D. 19 92

Certificate No..... Issued..... State Engineer

2407 (Rev. 6-81) 164079-T 30AF Abrogated By 109080T 30AF app. 11/15/03

Signature of R. Michael Turnipseed, State Engineer

ATTACHMENT

PROPOSED PLACE OF USE IN TOWNSHIP 20 NORTH RANGE 25 EAST M. D. M.

SECTION	SUBDIVISION	ACREAGE
22	NE 1/4, NE 1/4	16.75
22	SE 1/4, NE 1/4	18.49
22	NE 1/4, SE 1/4	15.10
23	NW 1/4, NE 1/4	0.89
23	SW 1/4, NE 1/4	15.61
23	NE 1/4, NW 1/4	0.08
23	NW 1/4, NW 1/4	3.30
23	SW 1/4, NW 1/4	26.98
23	SE 1/4, NW 1/4	19.51
23	NE 1/4, SW 1/4	10.44
23	NW 1/4, SW 1/4	15.67
23	SE 1/4, SW 1/4	0.15
23	NW 1/4, SE 1/4	16.21
23	SW 1/4, SE 1/4	<u>4.82</u>
TOTAL		164.00 ACRES

EXISTING PLACE OF USE IN TOWNSHIP 20 NORTH RANGE 25 EAST M. D. M.

SECTION	SUBDIVISION	ACREAGE
22	SE1/4, NE1/4	28.5
22	NE1/4, NE1/4	12.0
22	NE1/4, SE1/4	22.4
23	NW1/4, NW1/4	6.2
23	SW1/4, NW1/4	22.0
23	NW1/4, SW1/4	11.2
23	NE1/4, SW1/4	9.7
23	SE1/4, NW1/4	18.7
23	NE1/4, NW1/4	1.9
23	NW1/4, NE1/4	8.9
23	SW1/4, NE1/4	14.9
23	NW1/4, SE1/4	<u>7.6</u>
TOTAL		164.00 ACRES