AMENDED

Serial No. 55768

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 FEB 06 1991

Returned to applicant for correction MAY 06 1991

Corrected application filed MAY 20 1991 Map filed MAY 20 1991

The applicant Frey Ranch Partnership

1045 Dodge Lane (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. 6 United States (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

of America v. Orr Water Ditch Co. in Equity No. A.13 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 70.35 Ac. Ft. (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 SEE EXHIBIT "A" (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use SEE EXHIBIT "A" (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 (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 3 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 "A" Line Canal

By s/Barry A. Fitzpatrick
Barry A. Fitzpatrick S.W.R.S. #817
137 Keddie Street
Fallon, NV 89406

Compared bc/bc

Protested 3/25/91 by Pyramid Lake Paiute Tribe of Indians

.....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:

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

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

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

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, ...,
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this.....day of.....,
A.D. 19.....

.....
State Engineer

WITHDRAWN BY APPLICANT DEC 14 1995

STATE ENGINEER

(O)-1108 (Rev. 6-81)

AMENDED
EXHIBIT "A"

Proposed Place of Use;

All in Sec. 32, T. 18 N., R.29 E., M.D.B. & M.; .45 Ac. in the NW¼-SE¼; 1.10 Ac. in the SE¼-SW¼; 1.20 Ac. in the SW¼-SE¼; 1.30 Ac. in the SW¼-SW¼. All in Section 5, T.17 N., R.29 E., M.D.B.& M; 1.20 Ac. in the SW¼-NE¼; 2.40 Ac. in the SW¼-NW¼; .90 Ac. in the NW¼-NW¼; 1.15 Ac. in the NE¼-NW¼; 1.20 Ac. in the NW¼-NE¼; .90 Ac. in the NW¼-SW¼; .75 Ac. in the NE¼-SW¼; 5.25 Ac. in the NE¼-SE¼; 2.30 Ac. in the SW¼-SW¼.

Existing Place of Use;

All in Section 32, T.18 N., R.29 E.,M.D.B.& M.; 1.40 Ac. in the NW¼-SE¼; 1.45 Ac. in the SE¼-SW¼; .60 Ac. in the SW¼-SE¼. All in Section 5, T.17 N., R.29 E., M.D.B.& M.; .95 Ac. in the SW¼-NW¼; .85 Ac. in the NW¼-NW¼; .95 Ac. in the NE¼-NW¼; 2.40 Ac. in the NE¼-SW¼; 1.30 Ac. in the NE¼-SE¼; 2.60 Ac. in the SE¼-NW¼; 1.60 Ac. in the SE¼-SW¼; 1.45 Ac. in the NE¼-NE¼; 1.45 Ac. in the SE¼-NE¼. All in Section 6, T. 17 N., R.29 E., M.D.B.& M.; 3.10 Ac. in the SE¼-NE¼.