No. 55774

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

Corrected application filed

Map filed **FEB 06 1991**

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The applicant **James Nezgoda**, 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. 86-A United States 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**

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1. The source of water is **Truckee River & Carson River**

2. The amount of water to be changed **19.12 Ac. Ft.**

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 SW¼-SE¼, 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 **All in Sec. 5, T.18 N., R.28 E., M.D.B.&M; 4.25 Ac. in the NW¼-SW¼.**

8. Existing place of use **All in Sec. 5, T. 18 N., R.28 E., M.D.B.&M; 1.00 Ac. in the NW¼-SW¼; 1.50 Ac. in the SE¼-NW¼; 1.75 Ac. in the NE¼-SW¼.**

9. Use will be from **as decreed**

10. Use was permitted from **as decreed**

11. Description of proposed 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 **3 years**

15. Remarks: **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, Nevada 89406

Compared **ag/sam** ag/sam
Protested

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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 a portion 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 does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **19.12 acre-feet as decreed.**

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

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

November 3, 2007

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

December 3, 2007

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

December 3, 2007

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this **3rd** day of **November,** A.D. **2004**

Hugh Ricci, P.E.

State Engineer

Completion of work filed JUN 25 1998 under 62742

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____