

TEMPORARY

Serial No. 57484 T

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. APR 21 1992

Returned to applicant for correction.

Corrected application filed. Map filed APR 21 1992

The applicant. The Nature Conservancy

2060 Broadway, Suite 230 of Boulder Colorado, 80302

hereby make application for permission to change the

Place of use of a portion and the manner of use

of water heretofore appropriated under Truckee Carson Irrigation District Serial No. 24-3-1 and 24-3-2 United States of America v. Orr Ditch Co. in Equity No. A-3, Claim identify right in Decree.

No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183

BRT; both in the Federal District Court of Nevada.

1. The source of water is. Truckee and Carson rivers

2. The amount of water to be changed. 239.20 acre-feet (80.00 acres x 2.99 acre-feet per

3. The water to be used for. Maintenance of Wetlands for Recreation and Wildlife/Storage

4. The water heretofore permitted for. as decreed

5. The water is to be diverted at the following point. Derby Dam being within N1/2 SW1/4, Section 19

T20N R23E, M.D.B.&M., and Lahontan Dam being within SW1/4 SE1/4, Section 33, T19N,

R26E, M.D.B.&M.

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

7. Proposed place of use. 5,427 acres - plus or minus - within Sections 10, 11, 12, 13,

14, 15, 16, 20, 21, 22, 23, 24, 27, 28, 29, 32, 33, 34, T17N, R29E, M.D.B.&M.

8. Existing place of use. 35.42 acres in the NW1/4 SW1/4, 15.49 acres in the NE1/4 SW1/4, 21.73

acres in the SW1/4 SW1/4, 7.36 acres in the SE1/4 SW1/4, Section 34, T18n R29E,

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.) No new diversion or storage works on the

Truckee River and the Carson River will be constructed.

12. Estimated cost of works. N/A

13. Estimated time required to construct works. N/A

14. Estimated time required to complete the application of water to beneficial use..... 1 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Applicant expressly reserves the right to transfer in a later proceeding:

.51 acre-feet for each of the 80.00 acres from which 2.99 acre-feet per acre is to be transferred by this application

By..... s/ Robert Wigington
Robert Wigington, Applicant's Attorney
2060 Broadway, Suite 230
Boulder, Colorado 80302

Compared..... ap/ se ap/se

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 temporary 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 temporary permit is issued subject to the agreement executed by the Truckee Carson Irrigation District, U.S. Fish and Wildlife Service, and the Nature Conservancy, dated June 28, 1990.

This temporary permit is further issued pursuant to NRS 533.370, Section 1(b).

This temporary permit is also issued for the consumptive use pursuant to Article VII in the United States of America vs. Alpine Land and Reservoir Company, et al., D.C. No. D-183 BRT. The net consumptive use is determined to be 2.99 acre feet per acre of land removed from irrigation.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 15, 1992 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

This temporary 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 changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 239.2 ~~cubic feet per second~~ acre-feet per season, as decreed.

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, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 3rd day of June

A.D. 19 92

[Signature]
State Engineer

TEMPORARY

EXPIRED

DATE NOV 15 1992