AMENDED

Serial No. 59019

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 JUL 19 1993

Returned to applicant for correction AUG 11 1993

Corrected application filed AUG 20 1993 Map filed AUG 20 1993

The applicant Perry M. Di Loreto and Patricia E. Di Loreto Family Trust, Perry M. Di Loreto, Trustee.

7225 Franktown Road (Street and No. or P.O. Box No.) of Carson City (City or Town)

Nevada 89704 (State and Zip Code No.) hereby makes application for permission to change the

Point of Diversion and Place of Use of a portion (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under Permit 50072, Certificate 12437 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Unnamed Creek (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 0.007 CFS - 4.116 Acre Feet (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for irrigation and domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for irrigation and domestic (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 within the SE¼ SW¼ of Section 22, T16N, R19E, MDM., or at a point from which the SW corner of the said Section 22 bears S. 58 deg. 50 min. W., a distance of 1,835.0 feet. (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.)
6. The existing permitted point of diversion is located within SW¼ NW¼ of Section 27, T16N, R19E, MDM., or at a point from which the NW corner of the said Section 27 bears N. 02 deg. 27 min. 24 sec. W., a distance of 1,448.56 feet. (If point of diversion is not changed, do not answer.)
7. Proposed place of use within a portion of the NE¼ SW¼; a portion of the SE¼ SW¼; a portion of the NW¼ SE¼; a portion of the SW¼ SE¼, all in Section 22, T16N, R19E, MDM. Washoe County Assessor's parcel number 055-200-50. Total - 10.749 acres. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use within the SE¼ NW¼ of Section 23, T16N, R19E, MDM. Total - 5.000 acres. (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 January 1st (Month and Day) to December 31st (Month and Day) of each year.
10. Use was permitted from January 1st (Month and Day) to December 31st (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.) install concrete weir with adjustable headboards to divert to pipeline to property. (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 at least $1,000
13. Estimated time required to construct works One (1) year

14. Estimated time required to complete the application of water to beneficial use Five (5) 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 under this Application will be comingled with other water rights held by the applicant to cultivate lawn, garden and pasture appurtenant to APN 055-200-50 Use of overhead sprinklers and drip irrigation systems.

By s/Perry M. Di Loreto
P. O. Box 70280
Reno, Nevada 89570

Compared bc/bc jr/vjw

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 point of diversion and place of use of a portion of the waters of Unnamed Creek, as heretofore granted under Permit 50072, Certificate 12437 is issued subject to the terms and conditions imposed in said Permit 50072, Certificate 12437 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and measuring device must be installed and maintained to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under this proposed change at any and all times.

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 total combined duty of water under Permits 59019, 59020, 59021, 59022, 59023 and 59024 shall not exceed 20.0 acre-feet annually for the irrigation of 5 acres within the place of use.

All surface waters shall be used for irrigation prior to the use of any of the supplemental ground water.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.007 cubic feet per second, but not to exceed 4.116 acre-feet annually, and not to exceed a yearly duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before September 15, 1996

Proof of completion of work shall be filed before October 15, 1996

Application of water to beneficial use shall be made on or before September 15, 1999

Proof of the application of water to beneficial use shall be filed on or before October 15, 1999

Map in support of proof of beneficial use shall be filed on or before October 15, 1999

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 15th day of September, A.D. 19 94

R. Michael Turnipseed P.E.
State Engineer

Abrogated By Part 63447 0.007

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