

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 21 1993

Returned to applicant for correction

Corrected application filed Map filed SEP 21 1993

The applicant Frank S. and Frann M. Gallagher

100 W. Liberty Street, Suite 900 of Reno Nevada 89501

hereby make application for permission to change the

place of use of a portion of water heretofore appropriated under Truckee River Claim No. 214, Orr Ditch Decree in Equity, Docket A3

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 Truckee River-(Lake Ditch)

2. The amount of water to be changed 2.56 acre feet, 0.19", 0.013 cfs See attachment

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 Lake Ditch - within the NE 1/4 NW 1/4 of Section 19, T19N, R19E, MDB&M, or at a point from which the NW Corner of Section 20, T19E, R19E, MDB&M bears S 88° 05' E, 2620.0 feet.

6. The existing permitted point of diversion is located within Lake Ditch - same as Item No. 5

7. Proposed place of use Lot 2 of View Crest Estates, 2.5 acres, (Assessor's Parcel No. 40-601-10) within the SW 1/4 NE 1/4 of Section 1, T18N, R19E, MDB&M.

8. Existing place of use Lot 9 of View Crest Estates, 2.5 acres, (Assessor's Parcel No. 40-601-17) within the SW 1/4 NE 1/4 of Section 1, T18N, R19E, MDB&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.) existing

12. Estimated cost of works existing

13. Estimated time required to construct works existing

14. Estimated time required to complete the application of water to beneficial use.....existing-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:

Truckee River Decree Claims 184 and 214 are supplemental to each other. It is the intent of the Applicants to irrigate their land from the Lake Ditch as it is adjacent to their property. The Applicants' property is currently being irrigated. Upon completion of their home, Proof of Beneficial Use will be filed and will show the final irrigated acreage.

By s/Michael D. Buschelman
5405 Mae Anne Avenue
Reno, Nevada 89523

Compared dl/jr dl/cms

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 place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 214, Truckee River Final Decree is issued subject to the terms and conditions imposed in said decree and with the understanding that no other rights on the source will be affected by the change proposed herein. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

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 59266 and 59267 shall not exceed 5.06 acre-feet as decreed and is limited to the irrigation of 1.27 acres in the proposed place of use (Assessor's Parcel No. 40-601-10).

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.013 cubic feet per second, but not to exceed 2.56 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before November 12, 1999

Proof of completion of work shall be filed before December 12, 1999

Application of water to beneficial use shall be made on or before November 12, 2001

Proof of the application of water to beneficial use shall be filed on or before December 12, 2001

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed DEC 15 1999
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 12th day of November

A.D. 1998

[Signature of R. Michael Turnipseed]
State Engineer

ATTACHMENT
ITEM NO. 2

APPLICATION TO CHANGE FILED BY FRANK S. AND FRANN M. GALLAGHER

The amount of water to be changed in this application has been calculated based on Document No. 1149629, dated February 16, 1987, recorded March 25, 1987, in Washoe County, Nevada. It grants 15 miners' inches for a total of 110 acre feet of water annually from Truckee River Claim Nos. 184 (Last Chance Ditch) and 214 (Lake Ditch) to the Robert L. Helms and Pauline F. Helms Family Trust, the developers of View Crest Estates. The deed grants the 15 inches as follows:

Truckee River Claim 184	Last Chance Ditch	7 inches
Truckee River Claim 214	Lake Ditch	8 inches

In determining the amount of water to be changed, the proportions are based on the 7 inch \ 8 inch amounts granted to give the total 110 acre feet annually.