

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

SEP 21 1993

Date of filing in State Engineer's Office

Returned to applicant for correction

Corrected application filed SEP 21 1993 under 59266

The applicant FRANK S. AND FRANN M. GALLAGHER

100 W. LIBERTY ST., SUITE 900 of RENO City or Town

NEVADA 89501 State and Zip Code No. hereby make application for permission to change the

Point of diversion of a portion Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Truckee River Claim No. 184, 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 Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 2.50 ac ft, 0.16", 0.004 cfs See attachment 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 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, T19N R19E, MDB&M, bears S 88° 05' E, 2620.0 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 Last Chance Ditch-within the SE 1/4 NE 1/4 of Section 14, T19N R18E, MDB&M, or at a point from which the NW corner of Section 13, T19N R18E, MDB&M, bears N 24° 26' E, 1840.0 feet If point of diversion is not changed, do not answer.

7. Proposed place of use same as existing, Item No. 8 Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use Lot 2 of View Crest Estates, 2.5 acres (Assessor's Parcel Map No. 40-601-10) within the SW 1/4 NE 1/4 of Section 1, T18N R19E, MDB&M 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 to of each year. Month and Day Month and Day

10. Use was permitted from as decreed to of each year. Month and Day Month and Day

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 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 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 the Applicant's property. The Applicant's 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 bc/bc 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 point of diversion of a portion of the waters of the Truckee River as heretofore granted under Claim 184, 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 0.004 cubic feet per second, but not to exceed 2.50 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. 19 98
R. Michael Turnipseed, P.E.
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.