Serial No. 59268

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 under 59266

The applicant Frank S. and Frann M. Gallagher

100 W. Liberty Street, Suite 900 (Street and No. or P.O. Box No.) of Reno (City or Town)

Nevada 89501 (State and Zip Code No.) hereby make application for permission to change the

place of use and 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, (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

in Equity, Docket A3

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 2.56 acre feet, 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 NE¼ NW¼ 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 SE¼ NE¼ 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 Lot 2 of View Crest Estates, 2.5 acres, (Assessor's Parcel No. 40-601-10) within the SW¼ NE¼ of Section 1, T18N, R19E, MDB&M. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use Lot 9 of View Crest Estates, 2.5 acres, (Assesor's Parcel No. 40-601-17) within the SW¼ NE¼ 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 (Month and Day) to (Month and Day) of each year.
10. Use was permitted from as decreed (Month and Day) to (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.) 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

Protested

.....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:

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....cubic feet per second.....

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, ...,
State Engineer of Nevada, have hereunto set my hand and the seal of my office, this.....day of.....,
A.D. 19.....

.....
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.