

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 JUN 28 1994
Returned to applicant for correction
Corrected application filed Map filed MAR 15 1991 under 55996

The applicant Peach Tree Properties
710 W. Williams of Fallon
Nevada, 89406
Street and No. or P.O. Box No. City or Town
State and Zip Code No.

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. 210-3
United States of America v. Orr Ditch Co. in Equity No. A-3, Claim 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 56.96 acre-feet (19.05 acres x 2.99 acre-feet per acre)
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 Lahontan Dam being within SW 1/4 SE 1/4 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. See sheet 2 of 2 Permit #55996.
8. Existing place of use 19.05 acres in the SE 1/4 SE 1/4 Section 6, 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: 1) .....  
 .51 acre-feet for each of the 19.05 acres from which 2.99 acre-feet per acre is .....  
 to be transferred by this application, and 2) 3.5 acre-feet for each of the 5.32 .....  
 water-righted acres remaining at existing place of use.

Compared..... bc/bc ..... jr/vjw  
 By: s/Robert Wigington  
 Robert Wigington, Applicant's Agent  
 2060 Broadway, Suite 230  
 Boulder, Colorado 80302  
 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 and manner 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 permit is expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due the same as if the water right were still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (b).

This permit is also issued for the consumptive use portion 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 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..... 0.38 ..... cubic feet per second but not to exceed 56.96 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before..... February 9, 1996  
 Proof of completion of work shall be filed before..... March 9, 1996  
 Application of water to beneficial use shall be made on or before..... February 9, 1999  
 Proof of the application of water to beneficial use shall be filed on or before..... March 9, 1999  
 Map in support of proof of beneficial use shall be filed on or before..... N/A

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 9th day of February

A.D. 19 95  
 [Signature]  
 State Engineer

WITHDRAWN BY APPLICANT AUG 15 1995  
 [Signature]  
 STATE ENGINEER