

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 AUG 25 1994

Returned to applicant for correction

Corrected application filed Map filed AUG 25 1994

The applicant Stillwater Farms, Inc.

P.O. Box 7200 of Reno

Nevada 89510 hereby make application for permission to change the

a place of use of a portion and manner of use

of water heretofore appropriated under Truckee-Carson Irrigation District No. 565-5-C

608-2, 565-5-C-3 Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

United States of America v. Orr Water Ditch Co. in Equity No. A.13 Claim

No. 3; United States of America v. Alpine Land & Reservoir Co. D.C.

No D-183 BRT

- The source of water is Truckee River & Carson River
Name of stream, lake, underground spring or other source.
- The amount of water to be changed 66.80 ac.ft
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
- The water to be used for Maintenance of Wetlands for Recreation and Wildlife/ Storage
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water heretofore permitted for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
- The water is to be diverted at the following point Lahontan Dam being within the SW $\frac{1}{4}$ -SE $\frac{1}{4}$, Section 33, Township 19 North, Range 26 East, M.D.B.&M.
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.
- The existing permitted point of diversion is located within no change
If point of diversion is not changed, do not answer.
- Proposed place of use See exhibit "A"
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
- Existing place of use NW $\frac{1}{4}$ -NW $\frac{1}{4}$ 6.2 Ac., SW $\frac{1}{4}$ -NW $\frac{1}{4}$ 12.22 Ac.; Sec 29 T. 19 N., R. 28E.; M.D.B.&M; NE $\frac{1}{4}$ -SE $\frac{1}{4}$ 3.92 Ac. Sec. 35, T. 19 N., R. 28 E. M.D.B.&M., a total of 22.34 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.
- Use will be from as decreed to _____ of each year.
Month and Day Month and Day
- Use was permitted from as decreed to _____ of each year.
Month and Day Month and Day
- 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.) dam, canal & ditches
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.
- Estimated cost of works complete
- Estimated time required to construct works complete

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

Water will be delivered to the proposed place of use via the "S" Line Canal. Applicant expressly reserves the right to transfer in a later proceeding: 1) .51 acre feet for each 22.34 acres from which 2.99 acre-feet per acre is transferred by this application.

By s/Barry A. Fitzpatrick
Barry A. Fitzpatrick S.W.R.S. #817
137 Keddie Street
Fallon, Nevada 89406

Compared do/ jv cl/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 and manner of use of a portion 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 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 66.80 acre-feet ~~cubic feet per second~~ as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before August 19, 1997

Proof of completion of work shall be filed before September 19, 1997

Application of water to beneficial use shall be made on or before August 19, 2006

Proof of the application of water to beneficial use shall be filed on or before September 19, 2006

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

Completion of work filed OCT 21 1997

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 19th day of August,

A.D. 19 96

[Signature]
State Engineer