

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 27 1995

Returned to applicant for correction.....

Corrected application filed..... Map filed JUN 27 1995

The applicant Kal Kan Foods, Inc.
3250 East 44th Street of Vernon
Street and No. or P.O. Box No. City or Town

California 90058 hereby make an application for permission to change the
State and Zip Code No.

Point of Diversion, Place of Use and Manner of Use
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under a portion of the Orr Ditch Decree, Truckee
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
River Claim No. 629-1
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 14 miners inches, not to exceed 42.09 acre feet
per annum Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Industrial - Construction Water & Dust Control
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 within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32, T20N, R22E,
Describe as being within a 40-acre subdivision of public survey and by course and

MDM or at a point from which the Southwest corner of said Section 32 bears,
distance to a section corner. If on unsurveyed land, it should be stated.

S 03° 35' 01" W a distance of 2311.12 feet
South side of Truckee River in

6. The existing permitted point of diversion is located within NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 6 T20N, R22E, MDM
If point of diversion is not changed, do not answer.

7. Proposed place of use Portions of NW $\frac{1}{4}$ & SW $\frac{1}{4}$ Section 32 and portion of SE $\frac{1}{4}$ Section
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

31 all in T20N, R22E, MDM, lying between the Truckee River and Southern Pacific
Railroad

8. Existing place of use Portions of SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and NE $\frac{1}{4}$ NW $\frac{1}{4}$ lying Southerly and
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

Southeasterly of the Truckee River containing 9.3 acres + Sec. 32 all in T20N
manner of use of irrigation permit, describe acreage to be removed from irrigation.
R22E MDM.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 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.) Install CMP for collection system, pump, motor and pipeline.
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 \$10,000

13. Estimated time required to construct works One Month

Used within one year.

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

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

This Temporary Permit is for construction water and dust control to start the 26 million dollar Kal Kan project. Water quantity and quality will also be studied during this time to determine the feasibility of using this system for a permanent water supply for the Kal Kan Plant.

s/Richard W. Arden Agent

950 Industrial Way

By Sparks, Nevada 89431

jr/bk

jr/bk

Compared.....

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, place of use and manner of use of the waters of the Truckee River as heretofore granted under Claim 6294, 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.

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 depth of excavation shall be limited to 35 feet and any collection system shall not be a drilled well. The excavation shall not penetrate a confining layer.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on July 6, 1996 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.35 cubic feet per second, but not to exceed 42.09 acre-feet annually.

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, R. MICHAEL TURNIPSEED, P. E., State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 7th day of July

A.D. 1995

[Signature of R. Michael Turnipseed, P.E.] State Engineer

TEMPORARY

TEMPORARY

EXPIRED DATE 7-6-96