

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 NOV 13 1995

Returned to applicant for correction

Corrected application filed Map filed December 21, 1995

The applicant Kim W. and Susan L. McCreary

3505 Pflum Ln of Fallon

Nevada 89406 State and Zip Code No. here by make application for permission to change the

a place of use of a portion

Point of diversion, manner of use, and/or place of use Truckee-Carson Irrigation District No.**

of water heretofore appropriated under 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

identify right in Decree. Claim No. 3; United States of America v. Alpine Land & Reservoir

Co. D.C. No D-183 BRT

** 111, 111-1, 111-2 and 111-3

1. The source of water is Truckee River & Carson River Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 9.80 ac ft 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 Lahontan Dam being within the SW Describe as being within a 40-acre subdivision of public survey and by course and 1/4-SE1/4, Section 33, Township 19 North, Range 26 East, M.D.B. & M. distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within no change If point of diversion is not changed, do not answer.

7. Proposed place of use NW1/4SE1/4 (2.30 Ac) , SW1/4SE1/4 (0.50 Ac) , Sec 10, T18N R28E, M.D.B. & M. a total of 2.80 ac. Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use SW1/4SE1/4 (2.80Ac) Sec 10, T18N, R28E, M.D.B. & 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.) dam, canal & ditches 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 complete

13. Estimated time required to construct works complete

3 years

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:

Water will be delivered to the proposed place of use via the "A" line canal

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

Compared jp/cmm cl/cmg

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 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 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 9.80 acre-feet cubic feet per second as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before May 16, 1997

Proof of completion of work shall be filed before June 16, 1997

Application of water to beneficial use shall be made on or before May 16, 2000

Proof of the application of water to beneficial use shall be filed on or before June 16, 2000

Map in support of proof of beneficial use shall be filed on or before June 16, 2000

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 16th day of May

A.D. 1997

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

WITHDRAWN BY APPLICANT MAY 27 1997
[Signature]
STATE ENGINEER