

ASSIGNED NO. 61715

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 30 1995

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed FEB 15 1996

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The applicant **Mills & Mills, Inc.**, hereby makes application for permission to change the place of use of a portion of water heretofore appropriated under **Truckee Carson Irrigation District Serial Nos 556-6 556-3, 556-3-A, 556-3-B, 556-3-B-4, 556-3-B-5, 556-3-B-7, 556-3-A-1, 556-3-A-2, 556-3-A-3, 556-3-B-9, 556-3-B-10, and 556-3-B-11** **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.**

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1. The source of water is **Truckee and Carson Rivers**
2. The amount of water to be changed **38.71 acft**
3. The water to be used for **as decreed**
4. The water heretofore permitted for **as decreed**
5. The water is to be diverted at the following point **Lahontan Dam within SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 33, T.19N., R.26E., M.D.B.&M.**
6. The existing permitted point of diversion is located within **no change**
7. Proposed place of use **NW $\frac{1}{4}$  NE $\frac{1}{4}$  (0.10AC), NE $\frac{1}{4}$  NE $\frac{1}{4}$  (1.58AC) Sec 28, T.19N, R 28E.; SW $\frac{1}{4}$  NE $\frac{1}{4}$  (5.88 ac), NW $\frac{1}{4}$  SE $\frac{1}{4}$  (3.30 ac), NE $\frac{1}{4}$  SE $\frac{1}{4}$  (0.20 ac), Sec 21, T.19N. R.28E. MDB&M a total of 11.06 acres.**
8. Existing place of use **NW $\frac{1}{4}$  NW $\frac{1}{4}$  (4.09 ac), NE $\frac{1}{4}$  NW $\frac{1}{4}$  (2.69 ac) Sec 27, T.19N, R.28E; NW $\frac{1}{4}$  NE $\frac{1}{4}$  (1.57 ac), NE $\frac{1}{4}$  NE $\frac{1}{4}$  (0.50 ac) Sec 28, T.19N, R.28E; SW $\frac{1}{4}$  SE $\frac{1}{4}$  (2.21 ac), Sec 21, T.19N R.28E. M.D.B.&M a total of 11.06 acres.**
9. Use will be from **as decreed.**
10. Use was permitted from **as decreed.**
11. Description of proposed works **dams, canals & ditches**
12. Estimated cost of works **complete**
13. Estimated time required to construct works **complete**
14. Estimated time required to complete the application of water to beneficial use **3 years**
15. Remarks: **Water will be delivered to the proposed place of use via the "T" line canal. This application places additional water rights on application no. 55447.**

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

Compared dl/bk dl/bk

Protested \_\_\_\_\_

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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 appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 37.52 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed before:

N/A

Water must be placed to beneficial use on or before:

August 11, 2003

Proof of the application of water to beneficial use shall be filed on or before:

September 11, 2003

Map in support of proof of beneficial use shall be filed on or before:

September 11, 2003

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 11th day of August, A.D. 1999

*R. Michael Turnipseed P.E.*  
State Engineer

Completion of work filed N/A

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

Abrogated by: 71027-1 1436 AP  
72188T 35.67 Ex 11-15-05