

# TEMPORARY

NO. 61955

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## 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 MAR 14 1996

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

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

Map filed MAR 14 1996 under 61954

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The applicant Kathryn L. Sorter, hereby makes application for permission to change the Place of use and the manner of use of a portion of water heretofore appropriated under Truckee Carson Irrigation District Serial No. 770, 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 339.99 acre-feet (113.71 acres @ 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 the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , 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 77,364 acres - more or less - as described in Exhibit A, and as shown on map for File No. 57748, which map is incorporated by reference.
8. Existing place of use 37.01 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 38.10 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , and 38.60 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 13, T19N, R30E, M.D.B.&M.
9. Use will be from As decreed.
10. Use was permitted from As decreed.
11. Description of proposed 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: Applicant expressly reserves the right to transfer in a later proceeding: 1) 0.51 acre-feet for each of the 113.71 acres from which the 2.99 acre-feet per acre are to be transferred by this application, and 2) 3.5 acre-feet for each of the 6.29 water-righted acres remaining at the existing place of use.

WITHDRAWN BY APPLICANT SEP 13 1996

61955-T

*Richard P. Grimes*  
STATE ENGINEER

By s/Richard P. Grimes  
Richard P. Grimes, Sr. Realty Specialist  
U. S. Fish and Wildlife Service  
P.O. Box 1236  
Fallon, NV 89407-1236

Compared cl/bk

Protested \_\_\_\_\_

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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:

EXHIBIT A

PROPOSED PLACE OF USE  
APPLICATION TO CHANGE NEWLANDS PROJECT WATER RIGHT

The proposed place of use is the Stillwater National Wildlife Refuge, consisting of 77,364 acres, more or less, in:

Township 21 North, Range 32 East, Mount Diablo Meridian

Section 2, all;  
Section 3, all;  
Section 4, all;  
Section 5, all;  
Section 6, all;  
Section 7, all;  
Section 8, all;  
Section 9, all;  
Section 10, all;  
Section 11, all;  
Section 14, all;  
Section 15, all;  
Section 16, all;  
Section 17, all;  
Section 18, all;  
Section 19, all;  
Section 20, all;  
Section 21, all;  
Section 22, all;  
Section 27, all;  
Section 28, all;  
Section 29, all;  
Section 30, all;  
Section 31, all;  
Section 32, all;  
Section 33, all;  
Section 34, all;

Township 21 North, Range 31 East, Mount Diablo Meridian

Section 1, all;  
Section 2, all;  
Section 3, all;  
Section 4, all;  
Section 5, all;  
Section 6, all;  
Section 7, Lot 1, Lot 2, E $\frac{1}{2}$ NW $\frac{1}{4}$ , N $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
Section 8, all;  
Section 9, E $\frac{1}{2}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Section 10, all;

Township 21 North, Range 31 East, Mount Diablo Meridian (cont'd)

Section 11, all;  
Section 12, all;  
Section 13, all;  
Section 14, all;  
Section 15, all;  
Section 16, all;  
Section 17, S½;  
Section 18, all;  
Section 19, Lot 3, Lot 4, E½SW¼, SE¼;  
Section 20, all;  
Section 21, all;  
Section 22, all;  
Section 23, all;  
Section 24, all;  
Section 25, all;  
Section 26, all;  
Section 27, all;  
Section 28, all;  
Section 29, all;  
Section 30, all;  
Section 31, all;  
Section 32, all;  
Section 33, all;  
Section 34, all;  
Section 35, all;  
Section 36, all;

Township 20 North, Range 32 East, Mount Diablo Meridian

Section 3, all;  
Section 4, all;  
Section 5, all;  
Section 6, all;  
Section 7, all;  
Section 8, all;  
Section 9, all;  
Section 10, all;  
Section 16, all;  
Section 17, all;  
Section 18, all;  
Section 19, all;  
Section 20, all;  
Section 21, all;  
Section 29, all;  
Section 30, all;

RECORDED

24-11-1996

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Township 20 North, Range 31 East, Mount Diablo Meridian

Section 1, all;  
Section 2, Lot 1, Lot 2, Lot 3, Lot 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SE $\frac{1}{4}$ , SW $\frac{1}{4}$ ;  
Section 3, all;  
Section 4, all;  
Section 5, Lot 1, Lot 2, Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Section 6, all;  
Section 7, Lot 1, Lot 2, Lot 3, Lot 4, E $\frac{1}{2}$ NW $\frac{1}{4}$ , W $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Section 8, S $\frac{1}{2}$ , NE $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ , NW $\frac{1}{4}$ ;  
Section 9, all;  
Section 10, N $\frac{1}{2}$ , SW $\frac{1}{4}$ ;  
Section 11, E $\frac{1}{2}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Section 12, all;  
Section 13, all;  
Section 14, all;  
Section 18, Lot 1, Lot 2, Lot 3, Lot 4;  
Section 19, Lot 1, Lot 2, Lot 3, Lot 4;  
Section 22, E $\frac{1}{2}$ ;  
Section 23, all;  
Section 24, all;  
Section 25, all;  
Section 26, all;  
Section 27, E $\frac{1}{2}$ , SW $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Section 28, E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Section 30, Lot 1, Lot 2, Lot 3, Lot 4;  
Section 33, E $\frac{1}{2}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Section 34, all;  
Section 35, all;  
Section 36, all;

Township 19 North, Range 31 East, Mount Diablo Meridian

Section 2, all;  
Section 3, all;  
Section 4, Lot 1, Lot 2, Lot 3, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$ ,  
SE $\frac{1}{4}$ ;  
Section 7, Lot 4 East of Stillwater Slough in Parcel 1;  
Section 9, all;  
Section 10, all;  
Section 11, all;  
Section 14, all;  
Section 15, all;  
Section 16, all;  
Section 17, E $\frac{1}{2}$ , SW $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Section 18, Lot 1 East of Stillwater Slough in Parcel 1, Lot 2 in Parcel 1,  
Lot 3 in Parcel 1, Lot 4 in Parcel 1, SE $\frac{1}{4}$ NW $\frac{1}{4}$  in Parcel 1,  
E $\frac{1}{2}$ SW $\frac{1}{4}$  in Parcel 1, SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Section 19, Lot 1 in Parcel 1, Lot 2 in Parcel 1, Lot 3, Lot 4, E $\frac{1}{2}$ NW $\frac{1}{4}$ ,  
E $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ , NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;

Township 19 North, Range 31 East, Mount Diablo Meridian (cont'd)

Section 20, all;  
Section 21, all;  
Section 22, all;  
Section 27, all;  
Section 28, all;  
Section 29, all;  
Section 30, all;  
Section 31, all;  
Section 32, all;  
Section 33, all;

Township 19 North, Range 30 East, Mount Diablo Meridian

Section 13, E $\frac{1}{2}$ E $\frac{1}{2}$ , east of Stillwater Slough in Parcel 1;  
Section 24, NE $\frac{1}{4}$ NE $\frac{1}{4}$  in Parcels 1 and 3, W $\frac{1}{2}$ NE $\frac{1}{4}$  in Parcel 3, E $\frac{1}{2}$ NW $\frac{1}{4}$   
in Parcel 3

RECORDED  
24-1117-41-201955  
COUNTY CLERK'S OFFICE