

TEMPORARY

NO. 62470

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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 SEP 23 1996

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 15 1995

The applicant BARKER HOMES, INC., hereby makes application for permission to change the Place of Use and Manner of Use of a portion of water heretofore appropriated under Claims 337/338 of the Truckee River Decree, said Decree entered by the District Court of the United States for Nevada in that certain action entitled, "The United States of America, Plaintiff, VS Orr Water Ditch Company, Et Al, Defendants", in Equity Docket A-3.

1. The source of water is Truckee River
2. The amount of water to be changed 0.38 cfs - 127.56 AFA
3. The water to be used for Construction Purposes
4. The water heretofore permitted for As Decreed
5. The water is to be diverted at the following point Same as item No. 6, Orr Ditch
6. The existing permitted point of diversion is located within NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, T19N, R19E, M.D.B.&M., or at a point from which the SW corner of said Section 17 bears S 44 40' W, a distance of 3211.0 feet, Orr Ditch.
7. Proposed place of use Sections 1, 2, 3, 10, 11, 12, 13, 14, and 15, T20N, R20E, M.D.B.&M.; and Sections 6, 7, and 18, T20N, R21E, M.D.B.&M.
8. Existing place of use 7.95 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26, T20N, R20E, M.D.B.&M.; 11.65 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ and 12.29 acres in teh NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, T20N, R20E, M.D.B.&M.
9. Use will be from January 1 to December 31 of each year.
10. Use was permitted from As Decreed to As Decreed of each year.
11. Description of proposed works Pump in ditch with stand pipe for filling the water trucks for construction dust control. (Three (3) locations, see remarks)
12. Estimated cost of works ~~None-Existing~~
13. Estimated time required to construct works ~~None-Existing~~
14. Estimated time required to complete the application of water to beneficial use (1) One Year

15. Remarks: The stand pipes will be located in the following approximate areas:

- 1) SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, T20N, R20E, MDB&M
- 2) SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 11, T20N, R20E, MDB&M
- 3) NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, T20N, R20E, MDB&M

By s/ Michael D. Buschelman
 Michael D. Buschelman, P.L.S. (Agent)
 5405 Mae Anne Avenue
 Reno, Nevada 89523

Compared cl/jk cl/bk

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 temporary permit to change the place of use and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claims 337 and 338, 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. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report shall be submitted to the State Engineer within 10 days from the end of each month which shall include the amount of water pumped from the well and the amount of water used.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 17, 1997 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.38 cubic feet per second, but not to exceed 127.56 acre-feet as decreed.

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 filed on or before:

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

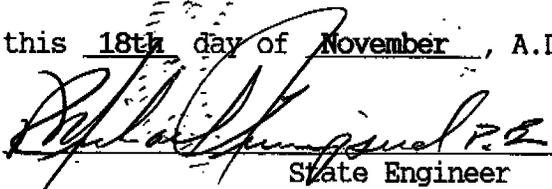
Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

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 18th day of November, A.D. 1996



 State Engineer

EXPIRED

DATE NOV 17 1997