

ASSIGNED

AMENDED

NO. 62513

**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 OCT 11 1996
Returned to applicant for correction OCT 30 1996
Corrected application filed NOV 15 1996
Map filed NOV 15 1996

The applicant Barker Homes, Inc., hereby makes application for permission to change the Place of Use of a Portion of water heretofore appropriated under Truckee River Decree Claim No. 337/338. Said water being a portion of the Orr Extension Ditch allocated to Mrs. Adelina Trosi (formerly Mrs. Charles Trosi) in that certain action entitled "The United States of America, Plaintiff vs Orr Water Ditch Co., ET AL, Defendants, the same in Equity Docket A-3 in the Distric Court of the United States and for the District of Nevada.

1. The source of water is Truckee River
2. The amount of water to be changed 146.396 AFA - 0.503 CFS
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 Same as Item No. 6
6. The existing permitted point of diversion is located within NE1/4 SW1/4 of 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 Within the S1/2 and NE1/4 of Section 11, T20N, R20E, M.D.B.&M.
8. Existing place of use 7.95 acres in the SW1/4 SW1/4 of Section 26, T20N, R20E, M.D.B.&M.; 12.29 acres in the NE1/4 SW1/4, 11.661 acres in the SE1/4 NW1/4, 0.744 acres in the SW1/4 NW1/4, 1.081 acres in the NE1/4 NW1/4, and 2.873 acres in the NW1/4 NW1/4 of Section 35, T20N, R20E, M.D.B.&M. (36.599 Acres). Refer to supporting map for Application 62513 attached and Application 60075 on file with the State Engineer's office for Existing Place of Use.
9. Use will be from As Decreed to As Decreed of each year.
10. Use was permitted from As Decreed to As Decreed of each year.
11. Description of proposed works Existing
12. Estimated cost of works Existing
13. Estimated time required to construct works Existing
14. Estimated time required to complete the application of water to beneficial use (5) Five Years

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15. Remarks: Refer to Application No. 62470T for Temporary Water Usage for construction dust control at 127.56 AF.

s/ Michael D Buschelman
By Michael D. Buschelman, P.L.S. -
5405 Mae Anne Avenue Agent
Reno, NV 89523

Compared gkl/cms dl/cms

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 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 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 0.4425 cubic feet per second, **but not to exceed 128.88 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

Application of water to beneficial use shall be filed on or before:

February 17, 2004

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

March 17, 2004

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

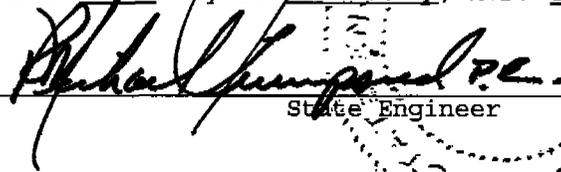
March 17, 2004

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 17th day of February, A.D. 1999


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Abrogated By: 66823 0.4425