AMENDED

NO. 62646

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 DEC 10 1996

Returned to applicant for correction JAN 29 1997

Corrected application filed FEB 18 1997

Map filed SEPT 3, 1993, under 58882

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The applicant Mogul Water Company, hereby makes application for permission to change the point of diversion, place of use and manner of use of a portion of water heretofore appropriated under Truckee River Claim 142 in the September 8, 1944 Final Decree in United States v. Orr Ditch Water Company, In Equity, No. A-3 in the United States District Court

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1. The source of water is Truckee River

2. The amount of water to be changed 1.222 cfs not to exceed 97.74 acre feet annually

3. The water to be used for municipal

4. The water heretofore permitted for irrigation

5. The water is to be diverted at the following point See Exhibit "A" attached hereto and map supporting Application #58882 on file with the Nevada State Engineer

6. The existing permitted point of diversion is located within SW¼ NE¼ Section 16, T.19N., R.18E., more specifically located on the Hogan Ditch which is the point of diversion under this Orr Ditch Decree (Map not required. See Item #15.)

7. Proposed place of use See Application #62141 and supporting map for SPPCo. place of use. See Exhibit "B" attached.

8. Existing place of use Decreed place of use. (Refer to Tracy Taylor letter of September 17, 1996. Copy attached. Map not required. See Item #15.)

9. Use will be from January 1 to December 31 of each year.

10. Use was permitted from January 1 to December 31 of each year.

11. Description of proposed works Water will be diverted by existing Sierra Pacific facilities, treated and placed into Sierra's existing distribution system.

12. Estimated cost of works in excess of $50 million

13. Estimated time required to construct works existing

14. Estimated time required to complete the application of water to beneficial use ten years

62646

15. Remarks: The purpose of this application is to respond to the request of Tracy Taylor in his letter of September 17, 1996. Copy attached. Map Illustrating existing place of use and point of diversion not required per Tracy Taylor.

By s/Randy Bowling (Agent)
P.O. Box 12926
Reno, NV 89510-2926

Compared my/bk jr/cms

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 point of diversion, place of use and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claim 142, 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 **1.222** cubic feet per second, **but not to exceed 97.74 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:
January 9, 2008

Proof of the application of water to beneficial use shall be filed on or before:
February 9, 2008

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

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 **9th** day of **January**, A.D. **1997**

R. Michael Turnipseed P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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EXHIBIT "A"
Proposed Point of Diversion

The following describes the multiple points of diversion for Sierra Pacific Power Company Water Treatment Planes, which are shown on the map accompanying Application No. 58882 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situate within the Southwest one-quarter of the Southeast one-quarter (SW1/4 SE1/4) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situate within the Southwest one-quarter of the Northeast one-quarter (SW1/4 NE1/4) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southeast one-quarter (NE1/4 SE1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.

EXHIBIT "B"
Proposed Place of Use

DIVISION	SECTION	T-N	R-E	
ALL	1-5	18	18	M.D.B.&M.
E1/2	6&7	18	18	M.D.B.&M.
ALL	8-17	18	18	M.D.B.&M.
E1/2	18&19	18	18	M.D.B.&M.
ALL	20-29	18	18	M.D.B.&M.
E1/2	30&31	18	18	M.D.B.&M.
ALL	32-36	18	18	M.D.B.&M.
ALL	1-5	19	18	M.D.B.&M.
E1/2	6&7	19	18	M.D.B.&M.
ALL	8-17	19	18	M.D.B.&M.
E1/2	18&19	19	18	M.D.B.&M.
ALL	20-29	19	18	M.D.B.&M.
E1/2	30&31	19	18	M.D.B.&M.
ALL	32-36	19	18	M.D.B.&M.
ALL	1-5	20	18	M.D.B.&M.
E1/2	6&7	20	18	M.D.B.&M.
ALL	8-17	20	18	M.D.B.&M.
E1/2	18&19	20	18	M.D.B.&M.
ALL	20-29	20	18	M.D.B.&M.
E1/2	30&31	20	18	M.D.B.&M.
ALL	32-36	20	18	M.D.B.&M.
ALL	1-5	21	18	M.D.B.&M.
E1/2	6&7	21	18	M.D.B.&M.
ALL	8-17	21	18	M.D.B.&M.
E1/2	18&19	21	18	M.D.B.&M.
ALL	20-29	21	18	M.D.B.&M.
E1/2	30&31	21	18	M.D.B.&M.
ALL	32-36	21	18	M.D.B.&M.
ALL	1-36	18	19	M.D.B.&M.
ALL	1-36	19	19	M.D.B.&M.
ALL	1-36	20	19	M.D.B.&M.
ALL	1-36	21	19	M.D.B.&M.
ALL	2-35	18	20	M.D.B.&M.
W1/2	36	18	20	M.D.B.&M.
ALL	1-12	19	20	M.D.B.&M.
ALL	14-23	19	20	M.D.B.&M.
ALL	26-35	19	20	M.D.B.&M.
ALL	1-36	20	20	M.D.B.&M.
ALL	1-36	21	20	M.D.B.&M.
ALL	1-36	20	21	M.D.B.&M.
ALL	1-36	21	21	M.D.B.&M.

BOB MILLER
Governor

STATE OF NEVADA

PETER G. MORROS
Director

R. MICHAEL TURNIPSEED, P.E.
State Engineer

DEPARTMENT OF CONSERVATION AND NATURAL RESOURCES
DIVISION OF WATER RESOURCES
Capitol Complex
123 W. Nye Lane
Carson City, Nevada 89710
(702) 687-4380 • Fax (702) 687-6972

September 17, 1996

RE: Truckee River Claim 142, 102
and Permits 35752, 35753 and 47636, et al.

See Attached Mailing List

Ladies and Gentlemen:

Pursuant to the submittal of the Judgement and Decree Case No. CV95-01770 in the Second Judicial District Court of the State of Nevada in and for the County of Washoe, adjudicating ownership of certain water rights the State Engineer has updated its records to show ownership of these certain water rights as described in Exhibit "A". The Judgement and Decree clearly defined the ownership and acre-foot duty for a portion of Claims 102 and 142 but did not address all items. The State Engineer has used all information on file with this office to determine the Place of Use and the corresponding permit number or claim number appurtenant to each owner of record. Their are still certain owners of record that have an undefined Place of Use as stated on Exhibit "A" and are hereby required to file applications to change the water right or provide information showing the exact Place of Use of the reverted water within 90 days of this letter. Failure to do so will result in the State Engineer not accepting the will serve letters based on these water rights.

Sincerely,

Tracy Taylor, P.E.
Chief of Appropriations

TT/nsr

Enclosures

Exhibit 'A'

Truckee River Claim 142 and Permit 47636

Owner	Permit or Claim #	Ac. Ft.	Acres	Place of use	Remarks
Robert Shock	Truckee River Claim 142	61.000	15.25	APN# 38-350-09	
Delores Arroyo Trust*	Reverts to Claim 142	25.267	6.317	To be provided	
Sam Jaksick Jr.	Remains with Permit 47636	25.267			See change application 62386
Brown Trust*	Reverts to Claim 142	25.267	6.317	To be provided	
Mogul Water Company*	Reverts to Claim 142	97.740	24.435	To be provided	
Centex Real Estate	Remains with Permit 47636	26.130			Will serve for Edgwater #7
Terry Markwell	Remains with Permit 47636	1.940			Will serve for parcel map#2618
John C. Farias	Truckee River Claim 142	1.280	0.32	APN# 38-172-02	
Nevada Department of Transportation	Truckee River Claim 142	22.719	5.68	Highway Right of Way	
Sierra Pacific Power Co.	Remains with Permit 47636	425.390			PBU submitted
	Total	712.000			

Truckee River Claim 102 and Permit 35753

Owner	Permit or Claim #	Ac. Ft.	Acres	Place of use	Remarks
Delores C. Arroyo Trust*	Reverts to Claim 102	14.060	3.75	To be provided	
Sam Jaksick, Jr.	Remains with Permit 35753	14.060			See change application 62385
Brown Trust	Remains with Permit 35753	14.060			See change application 62385
Mogul Water Company*	Reverts to Claim 102	42.180		To be provided	
John Farias	Truckee River Claim 102	2.630	0.7	APN# 38-172-02	
Nevada Department of Transportation	Truckee River Claim 102	18.010	4.8	Highway Right of Way	
	Total	105.000			

*The owners of record must file an application to change or define the exact acreage that the water right has reverted to within 90 days of this letter. Failure to do so will result in the State Engineer not accepting will serve letters on this water. The State Engineer reserves the right to take further action if this requirement is not met.

Richard M. Trachock, II
Bible, Hoy, Trachock, Wadhams & Zive
232 Court St.
Reno, NV 89501

George W. Ball, Jr.
Watersource Consulting Engineering, Inc.
730 Tahoe St.
Reno, NV 89509

George Shaw
Mogul Water Company
c/o Shaw Engineering (SPD Utilities)
430 Stoker Ave. #207
Reno, NV 89503

Wayne Culpepper
c/o Centex Homes
[illegible] Southview Dr.
[illegible]s, NV 89436

Terry Markwell
Landmark Development Co.
Landmark Construction Co.
4200 Christy Way
Reno, NV 89509

Sam S. Jaksick, Jr.
P.O. Box 1430
Reno, NV 89505

The Brown Trust, Sam S. Jaksick, Jr.
Joseph F. Arroyo
c/o George Brown,
Commercial Property Services
955 W. Moana Lane
Reno, NV 89509

Robert E. Firth
360 East Riverview Dr.
Reno, NV 89509

City of Reno
P.O. Box 1900
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Sierra Pacific Power Co.
P.O. Box 10100
Reno, NV 89520

Delores C. Arroyo
c/o Karen Reed
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Reno, NV 89509

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