

**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 04 1997

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAR 04 1997

The applicant David J. and Mary Timko, hereby make application for permission to change the Point of Diversion, Manner and Place of Use of a Portion of water heretofore appropriated under Truckee River Claim #719 of the Orr Ditch Decree. Said Decree Entered by the District Court of the United States of America, Plaintiff VS. Orr Water Ditch Company, ET.AL., Defendants in Equity, Docket No. A3.

1. The source of water is Thomas Creek
2. The amount of water to be changed 0.027 cfs - 4.00 ac. ft.
3. The water to be used for Landscape Irrigation and Water Features
4. The water heretofore permitted for As Decreed
5. The water is to be diverted at the following point SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T18N, R20E, MDM or at a Point from Which the SW Corner of Section 7, T18N, R20E, MDM Bears N 88° 58' 42" W., A Distance of 1515.02 Feet.
6. The existing permitted point of diversion is located within As Decreed - SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T18N, R20E, MDB&M.
7. Proposed place of use A Portion of SW $\frac{1}{4}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 7, T18N, R20E, MDM.
8. Existing place of use A Portion of NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8, T18N, R20E, MDM. 1.067 Acres
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 Pump from Thomas Creek thru Pipeline to a Irrigation System & Water Features
12. Estimated cost of works \$5,000.00
13. Estimated time required to construct works 5 years
14. Estimated time required to complete the application of water to beneficial use 5 years
15. Remarks:

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

Compared my/cms dl/cms

Protested _____

62896

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 719, 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.

This permit is limited to the irrigation of 1.0 acres within the proposed place of use.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.027 cubic feet per second, but not to exceed 4.0 acre-feet as decreed.

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

December 10, 2000

Proof of completion of work shall be filed before:

January 10, 2001

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

December 10, 2003

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

January 10, 2004

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

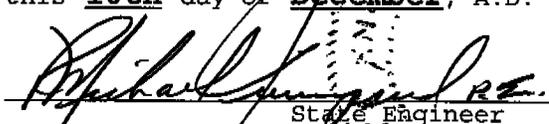
N/A

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 10th day of December, A.D. 1998


State Engineer

Completion of work filed JAN 09 2003

Proof of beneficial use filed JAN 12 2004

Cultural map filed _____

Certificate No. 16 34 2 Issued JUN 21 2004