

AMENDED

NO. 63026

**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 APR 11 1997

Returned to applicant for correction _____

Corrected application filed MAY 20 1997

Map filed MAY 20 1997 under 63025

The applicant **Barker Homes, Inc.**, hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use** of water heretofore appropriated under portions of Claims 55 and 57 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 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 **23.12 afa and a prorata share of the diversion rate**
3. The water to be used for **Municipal and Domestic**
4. The water heretofore permitted for **Irrigation, as decreed**
5. The water is to be diverted at the following point **The points of diversion of Sierra Pacific's existing water treatment plants as described in attached Exhibit "A" and as shown on the map supporting Application No. 58882 on file with the Division of Water Resources, State of Nevada.**
6. The existing permitted point of diversion is located within **the NE¹/₄ of the SW¹/₄ of Section 31, T.19N., R.18E., M.D.M., or at a point from which the Southeast corner of said Section 31 bears South 62° 04' East a distance of 3195 feet. See Map No. 58679 for existing point of diversion.**
7. Proposed place of use **See attached Exhibit "B" and as shown on the map that accompanied Application No. 62141.**
8. Existing place of use **See attached Exhibit "C".**
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 **Water will be diverted by existing S.P.P.Co. facilities, treated and placed into the existing distribution system.**
12. Estimated cost of works **S.P.P. Co. has invested in excess of \$50 million**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **1 year**

15. Remarks: During 1996 Sierra Pacific served an average of 63,871 non-duplicate customers and delivered approximately 68,121 acre feet of water. Maximum daily delivery was 116.7 million gallons (358.14 acre feet). This application transfers 23.12 acre feet of water for future use by Barker Homes.

By s/George G. Lindesmith
Tri State Surveying
1925 E. Prater Way
Sparks, Nevada 89434

Compared my/cms lt/gkl

Protested 7/31/97 by Churchill County; 7/31/97 by City of Fallon;

Protest Overruled 6-17-98, See Ruling #4642

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, manner of use and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 57, 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. Due to Ruling #4642, June 15, 1998, a portion from this change application was forfeited. This portion was the acre-feet from Claim 55. The ruling stating, as follows from Page 478, "Now for the ruling. Protests to all applications are hereby overruled, except for the protest based on the forfeiture in Application 62619 and 63026" (Lines 14 through 16) and the lines "Application 62619 and 63026 are approved except those portions based on Truckee River Claims 105, 118, and 55." (Lines 20 thru 22).

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.

(Continued on Page 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.113 cubic feet per second, **but not to exceed 18.16 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A

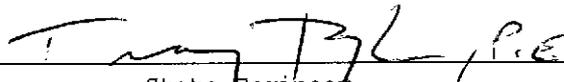
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

April 26, 2017

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

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,
State Engineer of Nevada, have hereunto set
my hand and the seal of my office,
this 26 day of April A.D. 2007


State Engineer

Completion of work filed March 12, 1997 under 60929

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT "A"

The following describes the multiple points of diversion for Sierra Pacific Power Company Water Treatment Plants, 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

<u>DIVISION</u>	<u>SECTION</u>	<u>T-N</u>	<u>R-E</u>	
ALL	1-5	18	18	M.D.B.&M.
E½	6&7	18	18	M.D.B.&M.
ALL	8-17	18	18	M.D.B.&M.
E½	18&19	18	18	M.D.B.&M.
ALL	20-29	18	18	M.D.B.&M.
E½	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.
E½	6&7	19	18	M.D.B.&M.
ALL	8-17	19	18	M.D.B.&M.
E½	18&19	19	18	M.D.B.&M.
ALL	20-29	19	18	M.D.B.&M.
E½	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.
E½	6&7	20	18	M.D.B.&M.
ALL	8-17	20	18	M.D.B.&M.
E½	18&19	20	18	M.D.B.&M.
ALL	20-29	20	18	M.D.B.&M.
E½	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.
E½	6&7	21	18	M.D.B.&M.
ALL	8-17	21	18	M.D.B.&M.
E½	18&19	21	18	M.D.B.&M.
ALL	20-29	21	18	M.D.B.&M.
E½	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.
W½	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.

SEE SUPPORTING MAP ON FILE WITH APPLICATION NO. 62141

EXHIBIT "C"
EXISTING PLACE OF USE

Diversion	40-acre Sub'n.	Section	Township	Range	Claim #	APN	ACREAGE	DUTY		
Steamboat Canal	NW	NE	21	19N	19E	55	09-261-61	0.730	2.92	(2.72)*
	NW	NE	21	19N	19E	55	09-265-09	0.560	2.24	
SUBTOTALS							1.290	5.16	(4.96)*	
Steamboat Canal	NE	NW	22	19N	19E	57	18-101-14	0.291	1.16	
	NE	NW	22	19N	19E	57	18-101-15	0.262	1.05	
	NE	NW	22	19N	19E	57	18-101-16	0.278	1.11	
	NE	NW	22	19N	19E	57	18-101-23	0.281	1.12	
	NE	NW	22	19N	19E	57	18-101-24	0.281	1.12	
	NE	NW	22	19N	19E	57	18-101-25	0.278	1.11	
	NE	NW	22	19N	19E	57	18-101-26	0.275	1.10	
	NE	NW	22	19N	19E	57	18-101-27	0.229	0.92	
	NE	NW	22	19N	19E	57	18-101-29	0.572	2.29	
	NE	NW	22	19N	19E	57	18-101-31	0.469	1.88	
	NE	NW	22	19N	19E	57	18-101-33	0.429	1.72	
	NE	NW	22	19N	19E	57	18-101-34	0.425	1.70	
	NE	NW	22	19N	19E	57	18-102-01	0.297	1.19	
	NE	NW	22	19N	19E	57	18-102-02	0.281	1.12	
	NE	NW	22	19N	19E	57	18-102-03	0.278	1.11	
	NE	NW	22	19N	19E	57	18-102-04	0.275	1.10	
	NE	NW	22	19N	19E	57	18-102-05	0.219	0.88	
	NE	NW	22	19N	19E	57	18-102-06	0.020	0.08	
	NE	NW	22	19N	19E	57	STREETS	1.365	5.46	
SUBTOTALS							6.805	27.22	(18.16)*	
TOTALS							8.095	32.38	(23.12)*	

* Water Rights Deeds to Barker Homes, Inc. strip only 2.72 acre feet of the total appurtenant to parcel 09-261-61 in Claim 55 and 18.16 acre feet of the total appurtenant to the parcel described in deeds for Claim 57.

PLUMB POINT SUB.

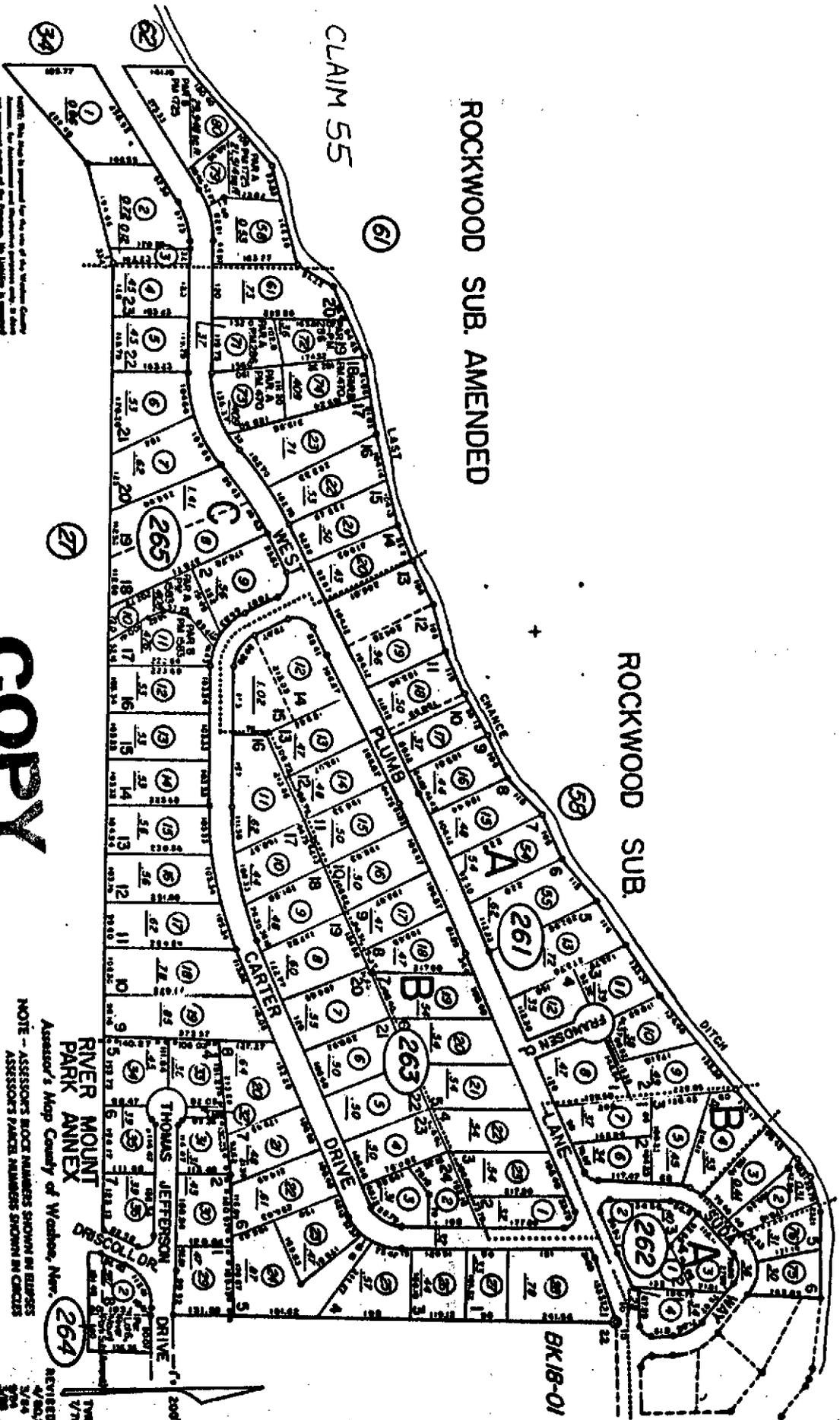
(24)

ROCKWOOD SUB.

BK18-01

ROCKWOOD SUB. AMENDED

CLAIM 55



NOTE: This map is prepared for the use of the Washington County Assessor's Office and is subject to change without notice. The Assessor's Office is not responsible for any errors or omissions on this map. The Assessor's Office is not responsible for any errors or omissions on this map.

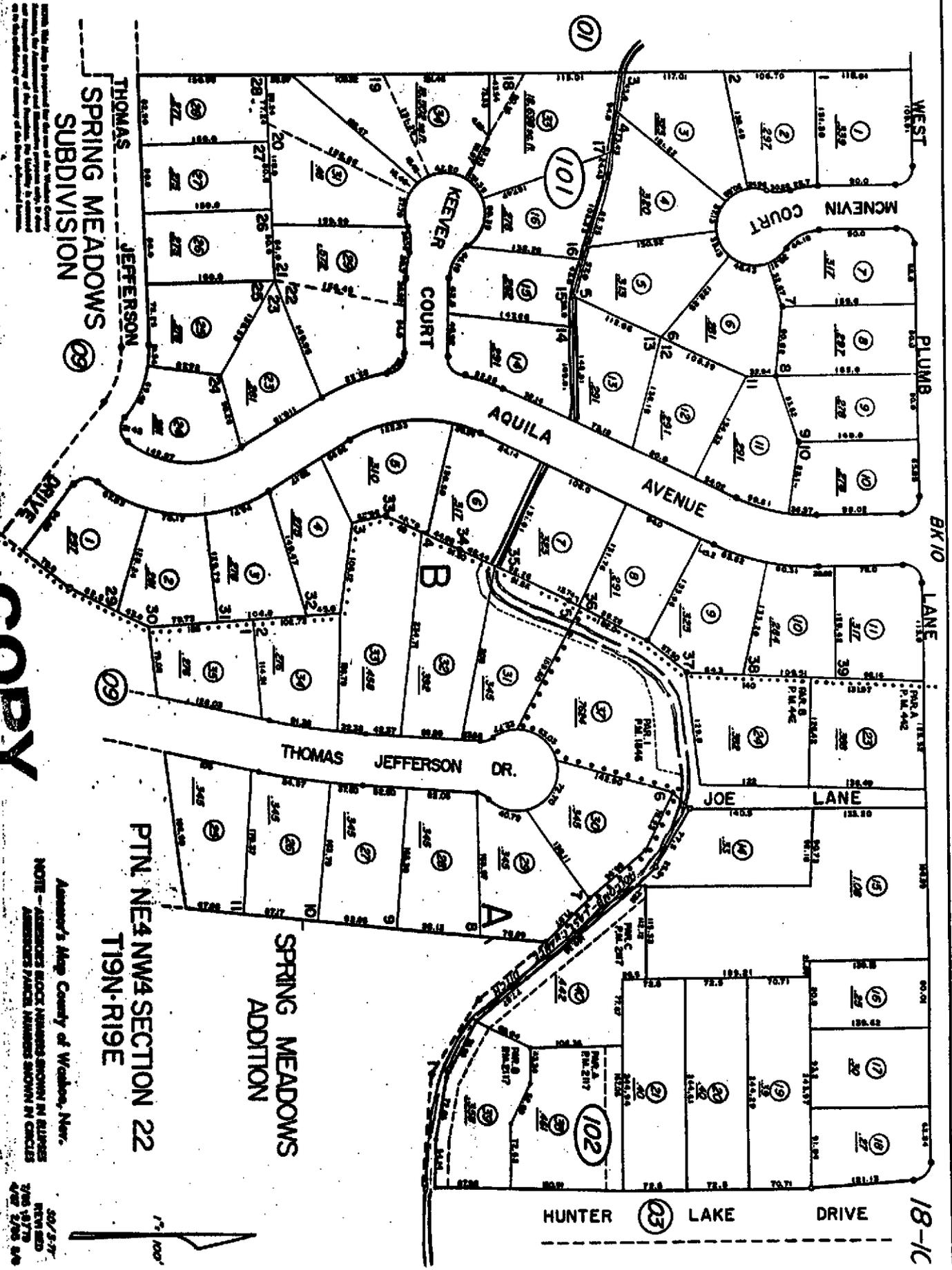
COPY

NOTE - ASSessor's BLOCK NUMBERS SHOWN IN SQUARES
 ASSessor's PARCEL NUMBERS SHOWN IN CIRCLES

Assessor's Map County of Washoe, Nev.

REVISIONS:
 4/83/DRK
 3/84
 7/84
 7/84

CLAIM
57



COPY

Assessor's Map County of Washoe, Nev.
NOTE - ASSASSOR'S BLOCK NUMBERS SHOWN IN SQUARES
ASSASSOR'S PARCEL NUMBERS SHOWN IN CIRCLES

PTN. NE4 NW4 SECTION 22
T19N-R19E

307 S. 77
REVISED
7/26/1979
4/27 2/28/84

