TEMPORARY

NO. 65004-T

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 05 1999

Returned to applicant for correction

Corrected application filed

Map filed MAY 15 1996

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The applicant **PAUL FAMILY TRUST**, hereby makes application for permission to change the **Existing Place of use of a portion** of water heretofore appropriated under **Truckee-Carson Irrigation District Serial No. 2172, 2161 & 607 (Account 5804-A) United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183; Both in the Federal District Court of Nevada**

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1. The source of water is **Truckee River & Carson River**

2. The amount of water to be changed **126.00 ac. ft.**

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 **Lahontan Dam being within the SW¼ SE¼ Section 33, T.19N., R.26E., M.D.B.&M.**

6. The existing permitted point of diversion is located within **no change**

7. Proposed place of use **portions of the S½ SW¼, NE¼ SW¼ and the NW¼ SE¼ all being in Section 29, T.19N., R.30E., M.D.B.&M. (T.C.I.D. Serial No. 2172 & 2161) a total of 36.00 ac. at 3.5 ac. ft./ac.. As shown on map to support application #61998T.**

8. Existing place of use **a portion of the SE¼ NE¼ of Section 35, T.19N., R.28E., M.D.B.&M. (T.C.I.D. Serial No. 607, account 5804-A) a total of 36.00 ac. at 3.5 ac.ft./ac.. As shown on map to support application #61998T.**

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 **Dam, Canal and Ditches**

12. Estimated cost of works **Complete**

13. Estimated time required to construct works **Complete**

14. Estimated time required to complete the application of water to beneficial use **N/A**

15. Remarks: **A portion of this transfer is stacking water rights on transfer #51383 (protested). Please refer to Application #61998T for maps to support this application.**

By **s/Barry A. Fitzpatrick**
Barry A. Fitzpatrick, Lumos & Associates
137 Keddie Street
Fallon, Nevada 89406

Compared **dl/cms** dl/cms

Protested

65004-T

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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 temporary permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

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.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on November 15, 1999 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 **126.0 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 **7th** day of **June**, A.D. **1999**

R. Michael Turnipseed, P.E.
State Engineer

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