TEMPORARY

NO. 65126-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 MAY 20 1999

Returned to applicant for correction

Corrected application filed

Map filed DEC 17 1990 under 55534

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The applicant **South Meadows Properties Limited Partnership**, hereby makes application for permission to change the **Point of Diversion, Manner of Use, and Place of Use of a portion** of water heretofore appropriated under **Claim 719 of the final decree titled "In the District Court of the United States in and for the District of Nevada in Equity Docket No. A3, the United States of America, Plaintiff, vs. Orr Ditch Company, et al., Defendants."**

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1. The source of water is **Thomas Creek**

2. The amount of water to be changed **286.43af**

3. The water to be used for **Storage**

4. The water heretofore permitted for **As decreed**

5. The water is to be diverted at the following point **within the SE¼ NW¼ Section 4, T.18N., R.20E., M.D.B.&M., or at a point from which the NW corner of said Section 4 bears N.57°24'41"W., a distance of 3,050.064 feet.**

6. The existing permitted point of diversion is located within **SE¼ SW¼ Section 7, T.18N., R.20E., M.D.B.&M., or at a point from which the center of Section 8, T.18N., R.20E., M.D.B.&M., bears N.70°30'00"E., a distance of 6,550.0 feet (same as decreed point of diversion).**

7. Proposed place of use **To be determined under secondary permits. Storage reservoir is located within the NW¼ Section 4, T.18N., R.20E., M.D.B.&M., and the SW¼ Section 33, T.19N., R.20E., M.D.B.&M.**

8. Existing place of use **3.38 acres within the SW¼ NW¼; 40.0 acres within the SE¼ NW¼; 6.733 acres within the NW¼ NW¼; 25.20 acres within the NE¼ NW¼; all in Section 8, T.18N., R.20E., M.D.B.&M.**

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 **Headgates, ditches, and pipelines to dam and reservoir constructed under Permit J-325.**

12. Estimated cost of works **$15,000,000.00**

13. Estimated time required to construct works **Completed under Orr Ditch Decree, Permit 55534, and Permit J-325.**

14. Estimated time required to complete the application of water to beneficial use **To be determined under secondary permits**

15. Remarks: This application is intended to be a "Temporary Primary Permit for Storage" with the actual beneficial use of water to be determined under secondary permits. Said secondary permits are issued subject to the terms of this primary permit and will expire according to said terms. Please refer to map filed under Permit 55534 for the proposed point of diversion.

By s/Nancy Boardman
Washoe County Dept. of Water Resources
P.O. Box 11130, Reno, NV 89520-0027

Compared dl/bk dl/bk

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 temporary permit to change the point of diversion, place of use and manner of use of a portion of the waters of Thomas Creek 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 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 July 14, 2000 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

This temporary permit is issued for the consumptive use portion only of the original Truckee River Decree rights (Claim 719) that being 2.5 acre-feet per acre, the remaining portion of the claim will go to make up downstream rights.

Water measuring devices and totalizing meters must be installed and accurate records must be kept of the water diverted and placed into storage.

A monthly report of the water diverted and placed into storage must be submitted to the State Engineer and Federal Water Master on a monthly basis within 15 days after the end of each month.

This temporary permit is issued subject to the regulation of the irrigation season as established by the Federal Water Master.

A substantial measuring device must be installed and accurate records must be kept of the water flowing in Thomas Creek prior to its commingling with other drainages.

(CONTINUED ON PAGE 3)

(PERMIT TERMS CONTINUED)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **1.918** cubic feet per second, **but not to exceed 188.28 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 15th day of July, A.D. 1999

R. Michael Turnipseed P.E.
State Engineer

EXPIRED
DATE JUL 14 2000