THIRD AMENDED NO. 66527
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 JUN 29 2000

Returned to applicant for correction AUG 02 2000

Corrected application filed MAY 08 2001

Map filed MAY 08 2001 under 66526

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The applicant **Falcon Capital, LLC, a Wyoming Limited Liability Company,** hereby makes application for permission to change the **Manner and Place of Use of a Portion** of water heretofore appropriated under **Proof 02754 of the Davis Creek Decree issued by the Second Judicial District Court of the State of Nevada in and for the County of Washoe on November 1, 1977.**

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1. The source of water is **Davis Creek and Tributaries**

2. The amount of water to be changed **7.496 cfs, 1215.13 Acre-feet**

3. The water to be used for **Instream Flow**

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

5. The water is to be diverted at the following point **SW¼ SE¼ Section 27, T.17N., R.19E., M.D.B.&M., or at a point from which the SE corner of said Section 27 bears S.73°49'E., a distance of 2009 feet.**

6. The existing permitted point of diversion is located within **Unchanged**

7. Proposed place of use **See Attachment "A"**

8. Existing place of use **See Attachment "B"**

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

10. Use was permitted from **As Decreed** to of each year.

11. Description of proposed works **Existing diversion works from Davis Creek, then by existing stream channel, existing and proposed ditches to the Place of Use**

12. Estimated cost of works **Dependent on Permit terms.**

13. Estimated time required to construct works **Dependent on Permit terms.**

14. Estimated time required to complete the application of water to beneficial use **Five (5) Years**

15. Remarks: **This water will be diverted within the existing Davis Creek to provide instream flows within the proposed Place of Use. Upon passing the Vista Gauge the water will be considered return flow and become available for downstream water right users. Total combined duty of Application 66526 through 66529 is not to exceed 4710.10 Acre-feet Annually.**

By **Gregory M. Bilyeu**
s/Gregory M. Bilyeu
500 Damonte Ranch Parkway, Suite 1056
Reno, NV 89511

Compared dl/ds

Protested 5/10/01 by Jean C. Golla; 7/6/01 by West Washoe Association, Inc.; 7/13/01 by Churchill County and Washoe County;

AGENT AUG 13 2002

WITHDRAWN BY APPLICANT

STATE ENGINEER

66527

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ATTACHMENT "A"
PROPOSED PLACE OF USE

SECTION	SUBDIVISION	TOWNSHIP	RANGE
	WASHOE LAKE		
	LITTLE WASHOE LAKE		
13	SE NE	T.17N.	R.19E.
13	NE SE	T.17N.	R.19E.
13	NW SE	T.17N.	R.19E.
13	SE SW	T.17N.	R.19E.
13	NE SW	T.17N.	R.19E.
24	NW NW	T.17N.	R.19E.
24	NE NW	T.17N.	R.19E.
4	NE NW	T.17N.	R.20E.
4	SE NW	T.17N.	R.20E.
4	SW NW	T.17N.	R.20E.
4	NW SW	T.17N.	R.20E.
5	NE SE	T.17N.	R.20E.
5	SE SE	T.17N.	R.20E.
5	SW SE	T.17N.	R.20E.
7	NE SE	T.17N.	R.20E.
7	SE SE	T.17N.	R.20E.
7	SW SE	T.17N.	R.20E.
8	NW NE	T.17N.	R.20E.
8	NW NW	T.17N.	R.20E.
8	SW NW	T.17N.	R.20E.
8	NE NW	T.17N.	R.20E.
8	NW SW	T.17N.	R.20E.
18	NE NW	T.17N.	R.20E.
18	SW NW	T.17N.	R.20E.
18	NW NW	T.17N.	R.20E.
18	NW NE	T.17N.	R.20E.
3	NW NW	T.18N.	R.20E.
3	NE NW	T.18N.	R.20E.
3	SW NW	T.18N.	R.20E.
3	NW SW	T.18N.	R.20E.
3	SW SW	T.18N.	R.20E.
10	NW NW	T.18N.	R.20E.
10	SW NW	T.18N.	R.20E.
10	NW SW	T.18N.	R.20E.
10	SW SW	T.18N.	R.20E.
15	NW NW	T.18N.	R.20E.
15	SW NW	T.18N.	R.20E.
15	NW SW	T.18N.	R.20E.
16	NE SE	T.18N.	R.20E.
16	SW SE	T.18N.	R.20E.
16	SE SE	T.18N.	R.20E.
21	NW NE	T.18N.	R.20E.
21	SW NE	T.18N.	R.20E.

ATTACHMENT "A"
PROPOSED PLACE OF USE

SECTION	SUBDIVISION	TOWNSHIP	RANGE
21	NW SE	T.18N.	R.20E.
21	SW SE	T.18N.	R.20E.
28	NE NW	T.18N.	R.20E.
28	NW NE	T.18N.	R.20E.
28	SW NE	T.18N.	R.20E.
28	NW SE	T.18N.	R.20E.
28	SW SE	T.18N.	R.20E.
33	NW NE	T.18N.	R.20E.
33	SW NE	T.18N.	R.20E.
33	NW SE	T.18N.	R.20E.
33	SW SE	T.18N.	R.20E.
33	SE SW	T.18N.	R.20E.
11	SW SE	T.19N.	R.20E.
11	SE SE	T.19N.	R.20E.
12	SW SW	T.19N.	R.20E.
12	SE SW	T.19N.	R.20E.
13	NW NW	T.19N.	R.20E.
13	NE NW	T.19N.	R.20E.
13	NW NE	T.19N.	R.20E.
14	NW SW	T.19N.	R.20E.
14	SW SW	T.19N.	R.20E.
14	SW NW	T.19N.	R.20E.
14	NE NW	T.19N.	R.20E.
14	SE NW	T.19N.	R.20E.
14	NW NE	T.19N.	R.20E.
14	NE NE	T.19N.	R.20E.
15	SE SE	T.19N.	R.20E.
22	NE SW	T.19N.	R.20E.
22	SW SW	T.19N.	R.20E.
22	SE SW	T.19N.	R.20E.
22	NW SE	T.19N.	R.20E.
22	SE NW	T.19N.	R.20E.
22	SW NE	T.19N.	R.20E.
22	NW NE	T.19N.	R.20E.
22	NE NE	T.19N.	R.20E.
23	NW NW	T.19N.	R.20E.
27	NW NW	T.19N.	R.20E.
28	SE SE	T.19N.	R.20E.
28	NE SE	T.19N.	R.20E.
28	SE NE	T.19N.	R.20E.
28	NE NE	T.19N.	R.20E.
33	NE NE	T.19N.	R.20E.
34	SE SW	T.19N.	R.20E.
34	NW SW	T.19N.	R.20E.
34	SW SW	T.19N.	R.20E.
34	SW NW	T.19N.	R.20E.
34	NW NW	T.19N.	R.20E.

ATTACHMENT "B"

Amended Proof 02754

LANDS BEING REMOVED FROM IRRIGATION

Cultural Acreage		Location				
Harvest	Diversified Pasture	1/4	1/4	Sec.	TWP.	RGE.
--	1.80	NE	NW	25	17 N.	19 E.
--	17.10	SE	NW	25	17 N.	19 E.
--	7.60	SW	NW	25	17 N.	19 E.
--	8.30	NW	SW	25	17 N.	19 E.
--	2.10	NE	SW	25	17 N.	19 E.
4.10	--	SE	NW	26	17 N.	19 E.
--	3.50	SE	NE	26	17 N.	19 E.
2.50	6.90	SW	NE	26	17 N.	19 E.
13.60	26.40	NW	SE	26	17 N.	19 E.
--	30.10	NE	SE	26	17 N.	19 E.
--	5.40	SE	SE	26	17 N.	19 E.
10.00	23.60	SW	SE	26	17 N.	19 E.
9.82	--	NW	SW	26	17 N.	19 E.
38.40	--	NE	SW	26	17 N.	19 E.
34.20	1.40	SE	SW	26	17 N.	19 E.
15.45	--	SW	SW	26	17 N.	19 E.
3.40	--	SE	SE	27	17 N.	19 E.
2.90	--	NE	NE	34	17 N.	19 E.
9.08	--	NW	NW	35	17 N.	19 E.
7.10	--	NE	NW	35	17 N.	19 E.
15.1	--	NW	NE	35	17 N.	19 E.
TOTAL ACREAGE 165.65	134.20					

A total of 299.85 acres is being removed from irrigation under this application Refer to table on sheet 4 of the supporting map for further information on lands being removed from irrigaiton.