

TEMPORARY**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 25 2001

Returned to applicant for correction _____

Corrected application filed _____

Map filed DEC 16 1999 under 65729

The applicant **MONTREUX GOLF CLUB, LTD.** hereby makes application for permission to change the **POINT OF DIVERSION, PLACE OF USE AND MANNER OF USE OF A PORTION** of water heretofore appropriated under **CLAIM 648 AND 650 OF The Truckee River Decree**, said decree entered in the District Court of The United States for Nevada in that certain action entitled, **The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants**, " in Equity Docket No. A-3.

1. The source of water is **GALENA CREEK**
2. The amount of water to be changed **0.45 CFS, NOT TO EXCEED 81.04 ACRE FEET ANNUALLY**
3. The water to be used for **RECREATION (GOLF IRRIGATION) AND DOMESTIC**
4. The water heretofore permitted for **AS DECREED**
5. The water is to be diverted at the following point **SE¼ SE¼ SECTION 3, T.17N., R.19E., M.D.B.&M., OR AT A POINT FROM WHICH THE SOUTHEAST CORNER OF SAID SECTIN 3 BEARS S. 53° 05' E. A DISTANCE OF 962.00 FEET. SEE MAP SUPPORTING APPLICATION 65729 ON FILE WITH THE STATE ENGINEER.**
6. The existing permitted point of diversion is located within **SEE EXHIBIT "A" ATTACHED HERETO.**
7. Proposed place of use **SEE EXHIBIT "B", ATTACHED HERETO.**
8. Existing place of use **SEE EXHIBIT "C", ATTACHED HERETO.**
9. Use will be from **JANUARY 1 to DECEMBER 31** of each year.
10. Use was permitted from **AS DECREED**
11. Description of proposed works **Water will be diverted from Galena Creek through an intake structure and Pipeline into ponds and distributed through golf course irrigation system.**
12. Estimated cost of works **EXISTING**
13. Estimated time required to construct works **EXISTING**
14. Estimated time required to complete the application of water to beneficial use **ONE YEAR**

15. Remarks: **THESE WATER RIGHTS WITH A MARCH 1, 1860 PRIORITY WILL BE USED TO IRRIGATE THE MONTREUX GOLF COURSE WHEN LOWER PRIORITY WATER RIGHTS ARE CURTAILED DUE TO THE BELOW AVERAGE WATER YEAR.**

By **ROBERT E. FIRTH**
s/Robert E. Firth
360 E. RIVERVIEW CIRCLE
RENO, NV 89509

Compared my/cmf dl/cmf

Protested _____

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 and place of use of a portion of the waters of Galena Creek as heretofore granted under Claims 648 and 650, 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 subject to the continuing jurisdiction and regulation by the Federal Water Master.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **December 31, 2001** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.45 cubic feet per second, **but not to exceed 81.04 acre-feet annually, and not to exceed a yearly duty of 4.5 acre-feet per acre of land irrigated from any and/or all sources.**

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

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

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

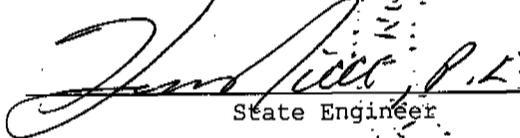
Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set
my hand and the seal of my office,

this 17th day of, July A.D. 2001


State Engineer

EXPIRED
DATE DEC 31 2000

100



EXHIBIT "A"

Existing Points of Diversion

SE 1/4 SW 1/4 Section 2, T.17N., R.19E., M.D.B.&M. or at a point from which the South one quarter corner of said Section 2 bears S 74° 59' 06" E. a distance of 1337.9 feet (Timothy Ditch) (Claim 648) See map supporting application 65729 on file with State Engineer.

On or above lands as decreed from Big Spring Ditch and others (only available information in Decree) (Claim 650).

EXHIBIT "B"PROPOSED PLACE OF USESECTION 2, T.17N., R.19E., M.D.B.&M

NW 1/4 SW 1/4	6.65 ACRES
SW 1/4 SW 1/4	6.98 ACRES
NE 1/4 SW 1/4	<u>2.31</u> ACRES
SUBTOTAL	15.94 ACRES

SECTION 3, T.17N., R.19E., M.D.B.&M

NW 1/4 SW 1/4	2.80 ACRES
SW 1/4 SW 1/4	10.30 ACRES
NE 1/4 SW 1/4	5.79 ACRES
SE 1/4 SW 1/4	8.95 ACRES
SW 1/4 NE 1/4	2.45 ACRES
SE 1/4 NE 1/4	7.54 ACRES
NW 1/4 SE 1/4	1.57 ACRES
SW 1/4 SE 1/4	4.89 ACRES
NE 1/4 SE 1/4	<u>29.90</u> ACRES
SE 1/4 SE 1/4	<u>3.69</u> ACRES
SUBTOTAL	77.88 ACRES

SECTION 11, T.17N., R.19E., M.D.B.&M.

NW 1/4 NW 1/4	7.24 ACRES
SW 1/4 NW 1/4	<u>3.20</u> ACRES
SUBTOTAL	10.44 ACRES
GRAND TOTAL:	104.26 ACRES

SEE MAP SUPPORTING APPLICATION 65729, ON FILE WITH STATE ENGINEER.

EXHIBIT "C"

EXISTING PLACE OF USE

Claim 648

Section 11, T.17N., R.19E., M.D.B.&M.

NW 1/4 NE 1/4 - 12.94 ACRES

CLAIM 650

Section 11, T.17N., R.19E., M.D.B.&M

NE 1/4 NE 1/4 - 34.9 ACRES

SE 1/4 NE 1/4 - 2.6 ACRES

Section 12, T.17N., R.19E., M.D.B.&M

NW 1/4 NW 1/4 - 7.2 ACRES

~~SE~~ 1/4 NW 1/4 - ~~1.2~~ ACRES

SW

10.52 "
9257
7/2/01