

**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 OCT 23 2001

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed OCT 23 2001

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The applicant **JOHN F. FEGELY** hereby makes application for permission to change the **PLACE OF USE OF A PORTION** of water heretofore appropriated under **CLAIM 65/723** 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.

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1. The source of water is **TRUCKEE RIVER**
2. The amount of water to be changed **0.11 CFS NOT TO EXCEED 3.75 ACRE FEET ANNUALLY**
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 **NE¼ SW¼ OF SECTION 31, T.19N., R.18E., M.D.B.&M OR AT A POINT FROM WHICH THE SOUTHEAST CORNER OF SAID SECTION 31 BEARS S. 62° 04' E. A DISTANCE OF 3195.00 FEET (STEAMBOAT DITCH).**
6. The existing permitted point of diversion is located within
7. Proposed place of use **NE¼ SE¼ OF SECTION 2, T.18N., R.19E., M.D.B.&M, 0.94 ACRES WITHIN APN 41-120-62 SEE MAP TR-022 AS APPROVED BY FEDERAL WATERMASTER AND STATE ENGINEER.**
8. Existing place of use **SW¼ SW¼ SECTION 26, T.19N., R.19E., M.D.B.&M - 0.94 ACRES.**
9. Use will be from **AS DECREED**
10. Use was permitted from **AS DECREED**
11. Description of proposed works **WATER WILL BE DIVERTED FROM STEAMBOAT DITCH THROUGH EXISTING LATERALS AND EXISTING ON-SITE DITCH 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 **TEN YEARS**
15. Remarks: **THIS WATER RIGHT IS A PORTION OF WATER RIGHTS CONVEYED TO MacFARLANE & CASSAS BY UNRECORDED DEED ON FILE WITH STATE**

**ENGINEER. REFERENCE IS MADE TO CANCELLED PERMIT 47083**

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

Compared cm/gkl dl/cmf

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 permit to change the place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 65, 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 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.

This permit is limited to the irrigation of 0.94 acres within the proposed place of use.

By the issuance of this permit the existing place of use cannot be irrigated by the water described under Truckee River Claim No. 723.

(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 3.75 acre-feet as decreed.

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

March 19, 2003

Proof of completion of work shall be filed before:

April 19, 2003

Water must be placed to beneficial use on or before:

March 19, 2007

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

April 19, 2007

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

April 19, 2007

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

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

this 19th day of March, A.D. 2002

*Hugh Ricci, P.E.*

State Engineer

MAY 09 2003

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

