

TEMPORARY

No. 68673-T

**2nd AMENDED 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 _____ APR 02 2002 _____

Returned to applicant for correction _____

Corrected application filed _____ JUN 18 2002 _____

Map filed _____ JUN 18 2002 _____

The applicant **ED VENTURACCI & SONS**, 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. 538, 538-A-1, 538-A-2, 538-A-3, 538-B, 538-P, 538-Q, 538-R & 538-59 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 and Permits No. 49398, 50002, 51046 & 51959**

1. The source of water is **Truckee River & Carson River**
2. The amount of water to be changed **660.38 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 SW $\frac{1}{4}$ SE $\frac{1}{4}$ 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 **See Attached**
8. Existing place of use **See Attached**
9. Use will be from **As Decreed**
10. Use was permitted from **As Decreed**
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:

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

Compared cmf/ sam dl/cmf

Protested _____

68673-T

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 the waters of the Truckee and Carson Rivers as set forth in the Truckee and Carson River Final Decrees and as set forth under Permits 49398, 51046 and 51959 and a portion of Permit 50002 which changed the place of use of a portion of 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.

The place of use of this temporary permit is presently covered by another valid water right owned by U.S. Fish and Wildlife Service (USF&WS). USF&WS will not use the existing right on the proposed place of use of this temporary permit, therefore Permit 68673-T will be the primary right for the 2002 irrigation season. The amount of water utilized on this place of use cannot exceed a duty of 3.5 acre-feet per acre.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 15, 2002** 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 660.38 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:

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 25th day of July, A.D. 2002



State Engineer

EXPIRED
DATE NOV 15 2002 SAC

ATTACHMENT TO CHANGE APPLICATION FOR ED VENTURACCI & SONS

7. Proposed place of use a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ (12.00 ac.) and SE $\frac{1}{4}$ SW $\frac{1}{4}$ (12.00 ac.) of
Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.
Section 12, T.17 N., R.28 E., and a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ (13.40 ac.) and SE $\frac{1}{4}$ SW $\frac{1}{4}$
(4.60 ac.) of Section 27 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ (0.00 ac.) of Section 34, T.18 N.,
R.28 E., and a portion of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ (24.48 ac.) and NW $\frac{1}{4}$ SE $\frac{1}{4}$ (24.10 ac.) and SW $\frac{1}{4}$ SE $\frac{1}{4}$
(38.60 ac.) and SE $\frac{1}{4}$ NE $\frac{1}{4}$ (1.10 ac.) and NE $\frac{1}{4}$ SE $\frac{1}{4}$ (21.80 ac.) and SE $\frac{1}{4}$ SE $\frac{1}{4}$ (36.60 ac.)
of Section 30, T.18 N., R.29 E., M.D.B. & M. a total of 188.68 ac.

8. Existing place of use a portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ (17.97 ac.) and SW $\frac{1}{4}$ SE $\frac{1}{4}$ (19.70 ac.)
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If
and NE $\frac{1}{4}$ SE $\frac{1}{4}$ (13.80 ac.) and SE $\frac{1}{4}$ SE $\frac{1}{4}$ (31.35 ac.) of Section 24, T.19 N., R.28 E., and
Changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
a portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ (10.00 ac.) and SE $\frac{1}{4}$ NW $\frac{1}{4}$ (0.00 ac.) and NE $\frac{1}{4}$ SW $\frac{1}{4}$ (0.00 ac.)
and SW $\frac{1}{4}$ NE $\frac{1}{4}$ (0.00 ac.) and NW $\frac{1}{4}$ SE $\frac{1}{4}$ (10.50 ac.) and NE $\frac{1}{4}$ NE $\frac{1}{4}$ (9.35 ac.) and SE $\frac{1}{4}$ NE $\frac{1}{4}$
(9.10 ac.) of Section 25, T.19 N., R.28 E., and a portion of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (0.95 ac.)
and SW $\frac{1}{4}$ SW $\frac{1}{4}$ (29.31 ac.) and NE $\frac{1}{4}$ SW $\frac{1}{4}$ (0.00 ac.) and SE $\frac{1}{4}$ SW $\frac{1}{4}$ (7.85 ac.) of Section 19,
T.19 N., R.29 E., and a portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ (12.55 ac.) and SW $\frac{1}{4}$ NW $\frac{1}{4}$ (8.75 ac.)
and NE $\frac{1}{4}$ NW $\frac{1}{4}$ (7.50 ac.) and SE $\frac{1}{4}$ NW $\frac{1}{4}$ (0.00 ac.) of Section 30, T.19 N., R.29 E.,
M.D.B. & M. a total of 188.68 ac.