

AMENDED

**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 FEB 04 2003

Returned to applicant for correction _____

Corrected application filed MAR 10 2003

Map filed MAY 08 2001 under 66526

The applicant **WESTERN SUPPLY CORP**, hereby makes application for permission to change the **place of use and manner of use of a portion of water heretofore appropriated under Claim #706 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 **STEAMBOAT CREEK**
2. The amount of water to be changed **2.85 CFS not to exceed 471.87 acre feet per annum**
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 **NW¼ SE¼ OF SECTION 33, T.18N., R.20E., M.D.B.&M. THROUGH THE CANDLER DITCH PER THE DECREE**
6. The existing permitted point of diversion is located within **NO CHANGE**
7. Proposed place of use **SEE EXHIBIT "A" ATTACHED HERETO. REFERENCE IS MADE TO TR-008, 012, 021, 026, 039, 046 AND 047. AND PERMIT 64288**
8. Existing place of use **T.18N., R.20E., M.D.B.&M. 104.86 ACRES WITHIN THE SW¼ SW¼ AND THE SE¼ SW¼ OF SECTION 22; THE NW¼ NW¼ AND THE NE¼ NW¼ OF SECTION 27; AND THE NE¼ NE¼ OF SECTION 28. SEE MAP TR-012. APN 16-430-02, -23, -24, -26.**
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 WITHIN THE EXISTING STEAMBOAT CREEK CHANNEL AND THE TRUCKEE RIVER**
12. Estimated cost of works **UNKNOWN - SUBJECT TO PERMIT CONDITIONS.**
13. Estimated time required to construct works **UNKNOWN - SUBJECT TO PERMIT CONDITIONS.**
14. Estimated time required to complete the application of water to beneficial use **TEN YEARS**
15. Remarks: **THIS WATER WILL BE DIVERTED WITHIN EXISTING STEAMBOAT CREEK CHANNEL TO PROVIDE INSTREAM FLOWS BETWEEN THE POINT OF DIVERSION AND THE VISTA GAUGE ON THE TRUCKEE RIVER. UPON PASSING**

THE VISTA GAUGE, THE WATER WILL BE CONSIDERED RETURN FLOW AND AVAILABLE FOR DOWNSTREAM USERS. IT IS NOT THE INTENT OF THIS APPLICATION TO CONVERT TO INSTREAM FLOW ANY WATER RELEASED FROM WASHOE LAKE THAT MAY BE ASSOCIATED WITH CLAIM #706 AND THIS APPLICATION.

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

Compared cmf/cac lt/gkl

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 permit to change the place and manner of use of a portion of the waters of Steamboat Creek as heretofore granted under Claim No. 706 of the Truckee River Decree is subject to the terms and conditions imposed in said decree and with the understanding that no other right 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.

Measuring devices shall be designed and a monitoring plan shall be submitted to and approved by the State Engineer prior to filing the proof of completion of work. Furthermore, no return flow credit water for subdivisions will be approved from this permit until data supporting the use has been approved by this office. This permit is issued subject to the continuing jurisdiction and regulation by the Federal Water Master and the State Engineer.

By the issuance of this permit, the supplemental storage rights described under Truckee River Claim Nos. 660 and 669 can no longer be used at the existing place of use.

(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 2.611 cubic feet per second, but not to exceed 469.53 acre-feet as decreed.

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

September 23, 2007

Proof of completion of work shall be filed on or before:

October 23, 2007

Water must be placed to beneficial use on or before:

September 23, 2010

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

October 23, 2010

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

N/A

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

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

this 23rd day of September A.D. 2005.


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A _____

Certificate No. _____ Issued _____

1954

Proposed Place of Use

STEAMBOAT CREEK, Within: Township 19 North, Range 20 East M.D.B.&M

- SWSE Section 11
- SESE Section 11
- SWSW Section 12
- SESW Section 12
- NWNW Section 13
- NENW Section 13
- NWNE Section 13
- SWSW Section 14
- NWSW Section 14
- SWNW Section 14
- SENW Section 14
- NENW Section 14
- NWNE Section 14
- NENE Section 14
- SESE Section 15
- SWSW Section 22
- SESW Section 22
- NESW Section 22
- NWSE Section 22
- SENW Section 22
- SWNE Section 22
- NWNE Section 22
- NENE Section 22
- NWNW Section 23
- NWNW Section 27
- SESE Section 28
- NESE Section 28
- SENE Section 28
- NENE Section 28
- NENE Section 33
- NWSW Section 34
- SWNW Section 34
- NWNW Section 34
- NESW Section 34
- SESW Section 34

STEAMBOAT CREEK, Within: Township 18 North, Range 20 East M.D.B.&M

NENW Section 3
NWNW Section 3
SWNW Section 3
NWSW Section 3
SWSW Section 3

NWNW Section 10
SWNW Section 10
NWSW Section 10
SWSW Section 10

NWNW Section 15
SWNW Section 15
NWSW Section 15

NESE Section 16
SESE Section 16
SWSE Section 16

NWNE Section 21
SWNE Section 21
NWSE Section 21
SWSE Section 21

NWNE Section 28
NENW Section 28
SWNE Section 28
NWSE Section 28
SWSE Section 28

NWNE Section 33
SWNE Section 33
NWSE Section 33