

TEMPORARY

No. 70079-T

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 02 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed SEP 29 1978 under 35752

The applicant **Somerset Development Company Ltd.** hereby makes application for permission to change the **Point of Diversion and Place of Use** of a portion of water heretofore appropriated under **Claim 278 of the Truckee River Decree**, said Decree entered by 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 A-3.

1. The source of water is the **Truckee River**.
2. The amount of water to be changed **Claim 278, 32.12 acre-feet**, along with a **pro-rata share of the diversion rate**.
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 within the **SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 14, T19N, R18E, MDB&M** from which the **SW corner of said Section 14 bears South 58 $^{\circ}$ 30' West a distance of 1400 feet**. Map filed with permit #35752.
6. The existing permitted point of diversion is located within **The NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 17, T19N, R19E, MDB&M**, or at a point from which the **Northwest corner of Section 20, T19N, R19E, MDB&M bears South 44 $^{\circ}$ 40' West a distance of 3,211 feet**. Orr Ditch per Orr Ditch Decree as shown on the map supporting Permit No. 67182.
7. Proposed place of use **Portions of the following sections: S $\frac{1}{2}$ of Sec. 1, Sec. 2, Sec. 3, Sec. 10, Sec. 11, Sec. 12 and N $\frac{1}{2}$ of NE $\frac{1}{4}$ of Sec. 13, T19N, R18E, MDBM and the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ Sec. 35, T20N, R18E, MDBM**. See the map associated with change application number 66535.
8. Existing place of use **Claim 278 - 8.03 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ & SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T19N, R19E, MDB&M TR Map 092 - all of Parcel blocks 008-42 and 008-43**.
9. Use will be from **As Decreed to As Decreed** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **Water will be diverted by existing motor pump, still well system and pipeline to place of use**.
12. Estimated cost of works **Completed**
13. Estimated time required to construct works **Completed**
14. Estimated time required to complete the application of water to beneficial use **1 year**

15. Remarks: For use in irrigation of golf course and landscaping.

By s/Mary C. June
 Mary C. June
 500 Damonte Ranch Pkwy. Ste. 1056
 Reno, NV 89511

Compared cmf/cac lb/gmf _____

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 the Truckee River as heretofore granted under Claim 278 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.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer and Federal Water Master on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is limited to the irrigation of 8.03 acres within the described place of use.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **September 21, 2004** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(CONTINUED ON PAGE 3)

EXPIRED *sg*
DATE SEP 21 2004

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.134 cubic feet per second, but not to exceed 32.12 acre-feet as decreed, and not to exceed a decreed duty of 4.0 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:

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

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

this 22nd day of September, A.D. 2003


State Engineer



