

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 AUG 18 2003

Returned to applicant for correction _____

Corrected application filed _____

Map filed AUG 22 2003

The applicant **Matthew N. Eiting and Shirle T. Eiting** hereby makes application for permission to change the **Point of Diversion and Place of Use** of a portion of water heretofore appropriated under **Claim 159 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 159, 1.04 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 **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° 40' West a distance of 3,211 feet. Orr Ditch and extensions per Orr Ditch Decree as shown on the map supporting Permit No. 67182.**
6. The existing permitted point of diversion is located within **The SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 14, T19N, R18E, MDB&M, or at a point from which the Northwest corner of Section 13, T19N, R18E, MDB&M bears North 24° 26' East a distance of 1,840 feet. Last Chance Ditch per Orr Ditch Decree as shown on map supporting Permit No. 67182.**
7. Proposed place of use **Claim 337/338 – 1 acre in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ in Section 27, T20N, R20E, MDB&M within parcel numbers: 035-310-45 and 035-310-17.**
8. Existing place of use **Claim 159 – 0.23 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, in Section 15, T19N, R19E, MDB&M Map TR-093 parcel number: 010-336-06.**
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 **Through existing Ditch and laterals to place of use.**
12. Estimated cost of works **Completed under Truckee River Decree.**
13. Estimated time required to construct works **Completed per Truckee River Decree.**
14. Estimated time required to complete the application of water to beneficial use **Four years.**

15. Remarks:

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

Compared sg/sam _____ lt/_____

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 point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 159, 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 0.27 acres within the described place of use and not to exceed an annual duty of 4.0 acre-feet per acre of land irrigated from any and/or all sources. The period of use is as decreed.

(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 0.006 cubic feet per second, but not to exceed 1.07 acre-feet as decreed.

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

N/A

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

N/A

Water must be placed to beneficial use on or before:

March 9, 2010

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

April 9, 2010

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

April 9, 2010

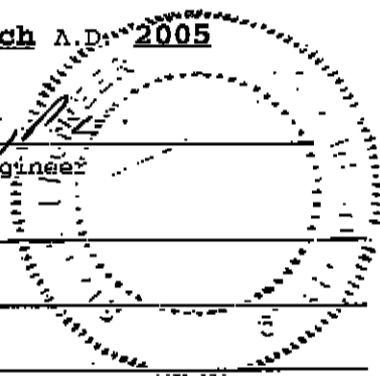
IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

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

this 9th day of March A.D. 2005

Hugh Ricci

State Engineer



Completion of work filed 3/12/1997 under 60929
Proof of beneficial use filed _____
Cultural map filed _____
Certificate No. _____ Issued _____

