TEMPORARY

No. 71087-T

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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 20 2004

Returned to applicant for correction

Corrected application filed

Map filed MAY 18 2004

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The applicant **John and Vella Torvik**, hereby make application for permission to change the **place of use of a portion** of water heretofore appropriated under **United States of America vs Orr Ditch Co. in Equity No. A-3 Claim # 3 United States of America vs. Alpine Land and Reservoir Co. No. D-183, both in Court of Nev. and portions of Permits 61416, 47804**

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1. The source of water is **Truckee River and Carson River**

2. The amount of water to be changed **206.82 acre-feet**

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 within SW¼ SE¼ Sec 33 T19N R26E M.D.B.&M.**

6. The existing permitted point of diversion is located within **no change**

7. Proposed place of use **see Exhibit A**

8. Existing place of use **see Exhibit A**

9. Use will be from **as decreed.**

10. Use was permitted from **as decreed.**

11. Description of proposed works **dams, canals & 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: **Existing place of use TCID Serial No. 680, 689, 2161, 672, 818, 607, 636 and 640. Proposed place of use TCID Serial No. 812, 2175, 2161, 2172, 683**

By s/John Torvik
455 N. Harmon Rd
Fallon, NV, 89406

Compared ag/cmf ag/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 temporary permit to change the place of use of a portion 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 portions of Permits 47804 and 61416, which changed the place of use of a portion of the Newlands Reclamation Project rights in the Truckee and Carson River Final Decrees and 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.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 15, 2004** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **206.82 acre-feet annually.**

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

Proof of completion of work shall be filed on or 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 **28th** day of **July**, A.D. **2004**

By: Deputy State Engineer, Jason King, P.E.

EXPIRED

DATE NOV 15 2004 JR

Exhibit H

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7. Proposed place of use 1.30 ac NW¼-SE¼, 0.15 ac. NE¼-SE¼, 5.22 ac. SE¼-SE¼, and 2.03 ac. SW¼-SE¼. all in Sec 29. T.19N., R30E., M.D.B.&M. 11.50 ac NW¼-SW¼ Sec. 28. T19N. R30E., M.D.B.&M. and 0.89 ac. NW¼-SE¼. Sec. 29. T19N., R30E., M.D.B.&M
(use map under 67946T)

13.20 ac SW¼SW¼, 8.50 ac SE¼SW¼, 9.2 ac NE¼ SW¼, ~~4.1 ac NW¼SE¼~~,
All being in Section 29. T. 19N. R.30E. M.D.B.&M
See attached supporting maps.

~~6.1~~
~~2 ac. NW¼ SW¼, Section 28, T19N., R30E. M.D.B.&M.~~
~~(See attached supporting maps)~~

2.9 ~~4.8~~ AC SE¼ NE¼ Sec 36 T19N R29E M.D.B&M.
4.2 ~~2.3~~ AC NE¼ NE¼ Sec 36 T19N R29E M D B & M.
(SEE supporting attached map)

8. Existing place of use 2.85 ac. NW¼-NW¼ 0.44 ac. NE¼-NW¼. Sec 25. T19N., R29E., M.D.B.&M. 10.00 ac. SE¼SE¼. Sec 26. T19N., R29E., M.D.B.&M. 6.35 ac NE¼-SE¼ Sec. 29 T19N., R30E. M.D.B.&M. 0.39 ac. SE¼-NW¼ 1.06 ac NW¼-NE¼. all in Sec. 31 T19N. R30E., M.D.B.&M.
(use map under 67946T)

A portion of the SE¼ NE¼ of Section 35 T. 19N. R.28E. M.D.B.&M., a total of 35 AC. and 3.5 AC. Ft./AC.

2.0 AC NE¼SW¼, Section 16, T.19 W. R.29E. M.D.B.&M.
(See attached supporting maps)

1.0 AC SW¼NE¼ Sec 17 T19N R29E M.D.B&M
(SEE attached supporting maps)