

TEMPORARY

No. 71210-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 MAY 12 2004

Returned to applicant for correction _____

Corrected application filed _____

Map filed MAY 12 2004

The applicant **CHURCHILL COUNTY**, hereby makes application for permission to change the **PLACE OF USE & MANNER OF USE OF A PORTION** of water heretofore appropriated under **TCID S.R. # 335-4, UNITED STATES OF AMERICA V. ORR DITCH CO. IN EQUITY NO. A-3, CLAIM NO. 3; IN THE FEDERAL DISTRICT COURT OF NEVADA.**

1. The source of water is **TRUCKEE RIVER**
2. The amount of water to be changed **124.20 AF (27.6 AC X 4.5 AF/AC)**
3. The water to be used for **DUST CONTROL / REVEGETATION**
4. The water heretofore permitted for **AS DECREED**
5. The water is to be diverted at the following point **AS DECREED, N½ SW¼ OF SECTION 19, T.20N., R.23E., M.D.B.&M. (DERBY DAM)**
6. The existing permitted point of diversion is located within **NO CHANGE**
7. Proposed place of use **N½ SE¼ (APN 7-111-13) & N½ SW¼ (APN 7-111-14) OF SECTION 7, T.19N., R.27E., M.D.B.&M. (SEE ATTACHED MAP)**
8. Existing place of use **0.7 ACRES IN THE NE¼ SW¼, 25.8 ACRES IN THE NW¼ SE¼ & 1.1 ACRES IN THE SW¼ NE¼ ALL IN SECTION 4, T.19N., R.26E., M.D.B.&M, TOTALING 27.6 ACRES. (SEE ATTACHED MAP)**
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 **EXISTING DITCHES, LATERALS & HEADGATES WILL BE UTILIZED FOR FLOOD IRRIGATION.**
12. Estimated cost of works **N/A**
13. Estimated time required to construct works **N/A**
14. Estimated time required to complete the application of water to beneficial use **N/A**
15. Remarks: **THIS IS A TEMPORARY APPLICATION OF WATER FOR DUST CONTROL / REVEGETATION ON SWINGLE BENCH. SUBSEQUENT TEMPORARY APPLICATIONS WILL BE FILED AS NECESSARY UNTIL VEGETATION IS ESTABLISHED. THIS DUST CONTROL / REVEGETATION PROJECT IS BEING COORDINATED & OVERSEEN BY THE NATURAL RESOURCES CONSERVATION SERVICE & THE UNIVERSITY OF NEVADA COOPERATIVE EXTENSION.**

By s/Chris C. Mahannah

Chris C. Mahannah, P.E., SWRS# 976

P.O. Box 5007

Reno, NV 89513-5007

Compared ag/cmf ag/cmf

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 place of use and manner of use of a portion of the waters of the Truckee River as set forth under the Claim No. 3 in the Truckee River Final Decree 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 expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due the same as if the water were still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (b).

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 124.20 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 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:

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

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

this 7th day of July, A.D. 2004


State Engineer

TEMPORARY

EXPIRED

DATE NOV 15 2004 *De*