

**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 JUL 19 2004

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed NOV 02 2001 under TR-109

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The applicant **Kim K. Kengle Trustee of the Kim K. Kengle Trust 2000 Dated December 22, 2000**, hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Claim or Right No. 287 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.**

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1. The source of water is **Truckee River**
2. The amount of water to be changed **1.64 afa and 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 **NE¼ of the SW¼ of Section 31, T19N., R18E, MDB&M, or at a point from which the Southwest corner of Section 32, T19N, R18E, MDB&M bears South 62°04' East a distance of 3,195.0 Feet. Steamboat Canal per Orr Ditch Decree**
6. The existing permitted point of diversion is located within **NE¼ of the SW¼ 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 3,211.0 Feet. Orr & Ext Ditch per Orr Ditch Decree.**
7. Proposed place of use in the **SE¼ of the NE¼ of Section 20, T19N, R19E, MDB&M. Also referred as APN 009-120-26, shown on TR-109 on file in the office of the Division of Water Resources, State of Nevada. See attached APN map.**
8. Existing place of use **0.41 acres in the NW¼ of the SE¼ of Section 31, T19/20N, R19E, MDB&M. APN 026-181-05 is shown on TR-087 on file in the office of the Division of Water Resources, State of Nevada.**
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 **Irrigation purposes.**
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 **Ten (10) years**

15. Remarks:

By **s/W. R. Roggenbuhl**  
**Truckee Meadows Water Research of Nevada, L.L.C., Agent**  
**1479 S. Wells Ave. Suite #6**  
**Reno, NV 89502-2959**

Compared sg/SC 1t/sam

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 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 287, 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 0.41 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 0.009 cubic feet per second, but not to exceed 1.64 acre-feet as decreed

Work must be prosecuted with reasonable diligence and be completed on or before:  
October 25, 2006

Proof of completion of work shall be filed on or before:  
November 25, 2006

Water must be placed to beneficial use on or before:  
October 25, 2010

Proof of the application of water to beneficial use shall be filed on or before:  
November 25, 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 25th day of October A.D. 2005

Tracy Taylor P.E.  
Tracy Taylor, Deputy State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed N/A \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

~~CANCELLED MAR 11 2009 BECAUSE OF  
FAILURE OF APPLICANT TO COMPLY WITH THE  
PROVISIONS OF PERMIT  
Tracy Taylor P.E. STATE ENGINEER  
Can. Rescinded 6-19-2009~~