



**THE STATE OF NEVADA**

**PERMIT TO CHANGE POINT OF DIVERSION,  
MANNER OF USE AND PLACE OF USE OF THE  
PUBLIC WATERS OF THE STATE OF NEVADA  
HERETOFORE APPROPRIATED**

**Name of applicant:** UNITED STATES OF AMERICA, FISH & WILDLIFE SERVICE  
**Source:** TRUCKEE & CARSON RIVERS  
**Basin:** CARSON DESERT  
**Manner of Use:** RECREATIONAL  
**Period of Use:** AS DECREED  
**Priority Date:** AS DECREED

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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 place of use of a portion of the waters of the Newlands Reclamation Project rights in the Truckee and Carson River final decrees and as set forth under Permit 61415 which changed the place of use of a portion the Newlands Reclamation Project rights in the Truckee and Carson River final decrees 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 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 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).

The point of diversion and place of use are as described on the submitted application to support this permit.

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 157.12 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

November 9, 2014

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

N/A

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 9th day of November, A.D. 2009

Tracy Taylor, P.E.  
State Engineer

Completion of work filed June 25, 1998 under 62742

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

Cultural map filed \_\_\_\_\_

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

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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 AUG 24 2004

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

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

Map filed AUG 24 2004

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The applicant **United States of America, Fish and Wildlife Service** hereby make application for permission to change the **place of use of a portion** of water heretofore appropriated under **Permit No. 61415 and United States of America v. Orr Water Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co. No D-183 BRT; both in the United States District Court of Nevada.**

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1. The source of water is **Truckee and Carson Rivers**
2. The amount of water to be changed **157.12 acre feet (52.55 acres @ 2.99 acre-feet per acre)**
3. The water to be used for **Maintenance of Wetlands for Recreation and Wildlife/Storage**
4. The water heretofore permitted for **As decreed.**
5. The water is to be diverted at the following point **Lahontan Dam, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 33, Township 19 North, Range 26 East, M.D.B.&M..**
6. The existing permitted point of diversion is located within **No change.**
7. Proposed place of use **All Federally owned or controlled lands within the approved boundary of Stillwater National Wildlife Refuge, as described in Exhibit "A" and supporting map filed with Serial No. 65700.**
8. Existing place of use **20.70 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ , and 31.85 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$  of Section 4, Township 18 North, Range 28 East, M.D.B.&M.;52.55 total acres, of which 7.00 acres is from Permit No. 61415 (See supporting map); all from Truckee-Carson Irrigation District Serial No. 70.**
9. Use will be from **As decreed.**
10. Use was permitted from **As decreed.**
11. Description of proposed works **No new diversions or storage works on the Truckee River or the Carson River will be constructed.**
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 **10 years.**

**71604**

15. Remarks: Applicant expressly reserves the right to transfer in a later proceeding: 0.51 acre-feet for each of the 52.55 acres from which the 2.99 acre-feet per acre are to transferred by this application, and 3.5 acre-feet for the 9.12 water righted acres remaining at the existing place of use.

**By Richard Grimes, Project Leader  
s/ Richard Grimes  
Nevada Realty Field Office  
U. S. Fish and Wildlife Service  
1000 Auction Road, Fallon, Nevada 89406**

Compared sg/dr

Protested Yes  
Pro. Overruled 5/14/2008 See Ruling #5848

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## EXHIBIT A

PROPOSED PLACE OF USE  
APPLICATION TO CHANGE NEWLANDS PROJECT WATER RIGHT

The proposed place of use is Stillwater National Wildlife Refuge, consisting of all Federally-owned or Federally-controlled lands within:

Township 21 North, Range 32 East, Mount Diablo Meridian

Sections: 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34

Township 21 North, Range 31 East, Mount Diablo Meridian

Sections: All

Township 20 North, Range 32 East, Mount Diablo Meridian

Sections: 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 29 and 30

Township 20 North, Range 31 East, Mount Diablo Meridian

Sections: All

Township 19 North, Range 31 East, Mount Diablo Meridian

Sections: 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32 and 33

Township 19 North, Range 30 East, Mount Diablo Meridian

Section 13: all those portions of the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , SE $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  SE $\frac{1}{4}$ , and SE $\frac{1}{4}$  SE $\frac{1}{4}$  lying east of Stillwater Slough

Section 24: NE $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  NW $\frac{1}{4}$ , SE $\frac{1}{4}$  NW $\frac{1}{4}$  and SW $\frac{1}{4}$  NE $\frac{1}{4}$