TEMPORARY

NO. 71611T

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 26 2004

Returned to applicant for correction

Corrected application filed

Map filed FEB 02 2001 under 67182

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The applicant **The Board of Regents, University of Nevada System** hereby makes application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Claim 601 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 **215.31 AFA and a prorata 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 NE¼ of the NW¼ of Section 11, T.19N., R21E., MDM (McCarrran North Side Ditch – Per Orr Ditch Decree)**

6. The existing permitted point of diversion is located within **The SE¼ of the SE¼ of Section 7, T.19N., R20E., MDM, or at a point from which the NE corner of said Section 7 bears North 3° 25' East, 4795.00 feet (Pioneer Ditch)**

7. Proposed place of use **393.63 acres within N½ Section 1, E½ Section 2, SE¼ Section 10, W½ NE¼, W½ Section 11, T.19N, R.21E.; N½, N½ SW¼ Section 6, T.19N., R.22E.; E½ Section 31, W½ Section 32, T.20N., R.22E., MDM**

8. Existing place of use **53.78 acres within the E½ NE¼ Section 20 and the W½ NW¼ Section 21, T.19N., R.20E., MDM, as described below (please refer to Truckee River Decree Map TR-045)**

APN	Acres	APN	Acres
portion 12-351-11	1.75	12-355-11	29.51
12-355-08	1.94	12-355-12	8.24
12-355-09	5.68	12-355-13	1.08
12-355-10	5.58		

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 **The McCarran North Side Ditch diversion is in place**

12. Estimated cost of works **at least $10,000.00**

13. Estimated time required to construct works **Complete**

14. Estimated time required to complete the application of water to beneficial use **12 months**

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15. Remarks: **This application, together with an application to change Claim 607, is being filed to allow for the temporary use of this portion of Claim 601. This is part of The Nature Conservancy's continuing efforts to rehabilitate natural vegetation at the McCarran Ranch and to assist in the improvement of water quality in the Truckee River. This project is a cooperative effort of The Nature Conservancy, the City of Reno, and the University of Nevada, Reno. A total of 350 AFA is proposed to be temporarily moved from the University's Main Farm area downstream to be used within the 393.63 acres of the McCarran Ranch. In the first three years of use of this water fifteen acres of riparian area were revegetated and watered, including approximate 25,000 trees and willows.**

The duty of water under Claims 601 and 607 is 4.0038 acre-feet per acre and 1.0039 acre-feet per acre, respectively. Although these applications are removing 53.78 acres and 134.81 acres from Claims 601 and 607 irrigation areas, the duty proposed for transfer will reflect the decreed duty of the surface water rights at the proposed place of use (4.5 acre-feet per acre). This will allow a total of 77.78 acres to be irrigated annually within the overall 393.63 acres.

Please use Truckee River Decree Maps TR-045 and TR-046 on file at the Division of Water Resources to support the existing point of diversion and place of use.

By **Cari Watkins-Bates, The Nature Conservancy**
s/ **Cari Watkins-Bates**
One East First Street, Suite 1007
Reno, NV 89501

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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 point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 601 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 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.

Water from 71610-T will be commingled with water from 71611-T for the irrigation of 77.78 acres within the proposed place of use.

Temporary Permits 71610-T and 71611-T are issued subject to the availability of water as determined by the Federal Water Master.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on February 17, 2006 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed **1.35** cubic feet per second **but not to exceed 215.31 acre-feet as decreed, and not to exceed a seasonal duty of 4.5 acre-feet per acre of land irrigated from any and/or all sources.**

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:

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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 **18th** day of **February** A.D. **2005**

Hugh Ricci, P.E.

State Engineer