

NO. 72564

**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 08 2005

Returned to applicant for correction MAY 06 2005

Corrected application filed _____

Map filed MAY 20 2005

The applicant **Jon R. Mayer & Chandra M. Mayer** hereby makes application for permission to change the **Point of Diversion & Place of Use of a portion** of water heretofore appropriated under **Claim 208.5** of that certain decree entitled **"The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants"**, in equity docket **A-3**

1. The source of water is **Truckee River**
2. The amount of water to be changed **2.00 AC.FT. & a pro-rata portion 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 **As Decreed-Last Chance Ditch from the south bank within the SE¼ NE¼, Section 14, T.19N., R.18E., M.D.B.&M., or at a point from which the NW Corner of Section 13, T.19N R18E, bears N. 24° 26'E., a distance of 1840.0 feet.**
6. The existing permitted point of diversion is located within **As Decreed-Lake Ditch from the south bank within the NE¼ NW¼, Section 19, T.19N., R.19E., M.D.B.&M., or at a point from which the NW Corner of Section 20, T19N R19E, bears S. 88° 05' E., a distance of 2620 feet.**
7. Proposed place of use **A portion of the NW¼ SW¼, Section 7, R.18N., R.20E., M.D.B. &M. (Washoe County APN 044-401-02)**
8. Existing place of use **See Attachment "A"**
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 diversion structure on the Truckee River at the Last Chance Ditch, then via existing ditches & laterals to the proposed place of use**
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 **Three (3) years**

15. Remarks: **This application transfers 2.0 acre-feet of water rights owned by the applications from the Lake Ditch to the Last Chance Ditch. Water will be commingled with existing rights and placed to beneficial use on Washoe County APN 044-401-02. Please utilize maps on file under the Truckee River Decree to illustrate the existing and proposed points of diversion.**

By **Gregory M. Bilyeu**
 s/ **Gregory M. Bilyeu**
500 Damonte Ranch Parkway, #1056
Reno, NV 89521

Compared mt/gkl lt/ gkl

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 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 208.5, 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 0.50 acres within the described place of use (Washoe County APN 044-401-02) 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.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0117 cubic feet per second, **but not to exceed 2.0 acre-feet as decreed.**

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

August 10, 2007

Proof of completion of work shall be filed on or before:

September 10, 2007

Water must be placed to beneficial use on or before:

August 10, 2009

Proof of the application of water to beneficial use shall be filed on or before:

September 10, 2009

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 10th day of August, A.D. 2006

Tracy Taylor, P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

ATTACHMENT "A"

8. Existing Place of Use - Claim 208.5

Ac.	Qtr	Qtr	Section	TwN/Rng
2.9	SW	SW	36	T19N, R19E
29.5	NE	SW	36	T19N, R19E
38.5	SE	SW	36	T19N, R19E
40	NW	SE	36	T19N, R19E
40	SW	SE	36	T19N, R19E
40	NE	SE	36	T19N, R19E
40	SE	SE	36	T19N, R19E
37.7	SW	SW	31	T19N, R20E
32.7	NW	SW	31	T19N, R20E
5	NE	SW	31	T19N, R20E
19	SE	SW	31	T19N, R20E

325.3 Total

Note Per acre duty is 4.3 acre-feet. 0.4651 acres are being removed from irrigation within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, T.19N, R.19E., M.D.B. & M., being a portion of Washoe County APN 040-152-23.