

ASSIGNED

NO. 72625

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 13 2005

Returned to applicant for correction _____

Corrected application filed _____

Map filed APR 13 2005

The applicant Bonnie L. York and The Lem S. Allen Family Trust, Bank of America Successor Trustee hereby make application for permission to change the Place of Use of a portion of water heretofore appropriated under United States of America v. Orr Ditch Co. in Equity No. A-3, Claim 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the Federal District Court of Nevada and permit # 65122

1. The source of water is Truckee River & Carson River
2. The amount of water to be changed 5.65 ac ft
3. The water to be used for Irrigation
4. The water heretofore permitted for as decreed
5. The water is to be diverted at the following point Lahontan Dam located within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, T.19N., R.26E., M.D.B.&M.
6. The existing permitted point of diversion is located within No change
7. Proposed place of use SE $\frac{1}{4}$ NW $\frac{1}{4}$ (1.05 ac. @ 3.5 a/f) of Sec. 25, T.19N., R.28E., SE $\frac{1}{4}$ SW $\frac{1}{4}$ (.44 ac. @ 4.5 a/f), of Sec. 18, T.19N., R.29E., M.D.B.&M. a total of 5.65 af. also TCID Serial Nos. 538-47 & 653-2
8. Existing place of use NW $\frac{1}{4}$ SW $\frac{1}{4}$ (.27 ac. @ 3.5 a/f Permit 65122) of Sec. 5, T.18N., R.28E., SE $\frac{1}{4}$ SW $\frac{1}{4}$ (1.05 ac. @ 4.5 a/f) of Section 18, T.19N., R.29N., M.D.B.&M. A total of 5.65 af. also TCID Serial Nos. 86-A & 653-2
9. Use will be from as decreed.
10. Use was permitted from as decreed.
11. Description of proposed works dams, canals & ditches
12. Estimated cost of works complete
13. Estimated time required to construct works complete
14. Estimated time required to complete the application of water to beneficial use 3 years

72625

15. Remarks: Existing place of use in SE¼ SW¼ (1.05 ac.) will be matched in the AB380 program

By Barry A. Fitzpatrick S.W.R.S. #817
s/ Barry A. Fitzpatrick Agent
178 S. Maine Street
Fallon, Nevada 89406

Compared mt/ gkl lb/ 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 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 a portion of Permit 65122, which changed the place of use of a portion of the Newlands Reclamation Project rights in the Truckee and Carson River Final Decrees and 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.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 5.65 acre-feet as decreed.

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

N/A

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

N/A

Water must be placed to beneficial use on or before:

March 1, 2009

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

April 1, 2009

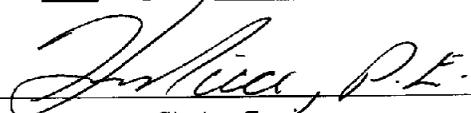
Map in support of proof of beneficial use shall be filed on or before:

April 1, 2009

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

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

this 1st day of March A.D. 2006



State Engineer

Completion of work filed June 25, 1998 under 62742

Proof of beneficial use filed _____

Cultural map filed NA

Certificate No. _____ Issued _____