

NO. 74494

**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 11 2006

Returned to applicant for correction _____

Corrected application filed _____

Map filed JUL 11 2006 under 74494

The applicant **Michael J. Bertoldi** hereby make application for permission to change the **Point of Diversion and Place of Use of a portion** of water heretofore appropriated under **Claim 474/475 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.

1. The source of water is **Truckee River**
2. The amount of water to be changed **1.00 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 **within the NE ¼ of the SW ¼ of Section 31, T.19N., R.18E., M.D.M. or at a point from which the southeast corner of said Section 31 bears South 62°04' East a distance of 3195 feet. Steamboat Canal per Orr Ditch Decree.**
6. The existing permitted point of diversion is located within the **NW ¼ of the SE ¼ of Section 11, T.19N., R.19E., M.D.M., or at a point from which the southwest corner of said Section 11 bears South 69°15' West a distance of 3640 feet. Cochran Ditch per Orr Ditch Decree.**
7. Proposed place of use **0.25 acres within the NW ¼ of the SW ¼ of Section 20, T. 19N., R.19E., M.D.M. A portion of Washoe County Assessor's Parcel Number 041-062-51, as depicted on the map accompanying this application. The exact location to be determined upon proof of beneficial use.**
8. Existing place of use **0.0 cf and 0.25 cf acres within the NW ¼ of the SE ¼ of Section 30, T.19N., R.20E., M.D.M. A portion of the water appurtenant to Washoe Washoe County Assessor's Parcel Number 020-420-00, as depicted and tabulated on the map accompanying this application.**
9. Use will be from **As Decreed.**
10. Use was permitted from **As Decreed.**
11. Description of proposed works **Existing laterals from Steamboat Canal 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 **5 years**

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15. Remarks: **This application would allow the use of the water on land owned by Michael J. and Carolyn L. Bertoldi.**

By s/ **George G. Lindesmith**
George G. Lindesmith
Tri State Surveying 1925 E. Prater Way
Sparks, Nevada 89434

Compared mt/dr 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 the point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 474/475, 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 0.25 acres within the described place of use and not to exceed an annual duty of 4.00 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 0.0063 cubic feet per second, but not to exceed 1.00 acre-feet as decreed.

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

June 25, 2008

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

June 25, 2009

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

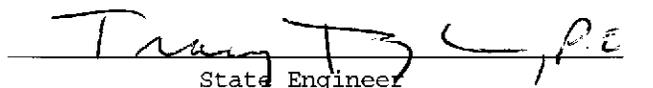
N/A

IN TESTIMONY WHEREOF, I, Tracy Taylor, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 25th day of June, A.D. 2007


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed NA

Certificate No. _____ Issued _____