Serial No. 76138

AMENDED

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office AUG 06 2007

Returned to applicant for correction AUG 10 2007

Corrected application filed OCT 08 2007 Map filed OCT 10 2007

The applicant Fallon Paiute Shoshone Tribe
565 Rio Vista Drive (Street and No. or P.O. Box No.) of Fallon (City and Town)
Nevada 89406 (State and Zip Code No.), hereby make application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

Applicant is Federal Recognized Indian Tribe

1. The source of the proposed appropriation is Agricultural Drain Water (Name of stream, lake, spring, underground or other source.) from "A-Drain" within Fallon Indian Reservation
2. The amount of water applied for is 1.05 cfs (One second foot equals 448.83 gallons per minute.) second feet.
   (a) If stored in reservoir give number of acre-feet N.A.
3. The water to be used for Irrigation Purposes (Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.)
4. If use is for:
   (a) Irrigation, state number of acres to be irrigated 217.0 ~~a~~
   (b) Stockwater, state number and kind of animals N.A.
   (c) Other use (describe fully under "No. 12. Remarks") N.A.
   (d) Power generation:
      (1) Horsepower developed N.A.
      (2) Point of return of water to stream N.A.

5. The water is to be diverted from its source at the following point in the "A-Drain", near the SW Cor of the SW 1/4 SE 1/4 Sec 4, T19N, R30E, M.D.B & M. Point being N 89° 34" 24" E, 2670.71 feet from SW Cor Sec 4, T19N, R 30 E, M.D.B & M.

Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land, it should be so stated.

6. Place of use Sections 3, 4, 8, 9, 10, 15, 16, 17, 20, 21, 22, NW 1/4 Sec 2, NW 1/4 NW 1/4 Sec 23, all in T19N, R30E. Also, S 1/2 Sec 33, S 1/2 Sec 34, SW 1/4 and W 1/2 SE 1/4 Sec 35, all in T20N, R30E. All within the boundary of the Fallon Indian Reservation and Newlands Irrigation Project.

Describe by legal subdivision. If on unsurveyed land, it should be so stated.

7. Use will begin about March 1 (Month and Day) and end about November 30 (Month and Day) of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Diversion Structure / Laterals, Ditches, Pump(s), Pipe, Sprinklers, Gates.

State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.

9. Estimated cost of works $50,000

10. Estimated time required to construct works Two Years.

If well completed, describe works.

11. Estimated time required to complete the application of water to beneficial use Three Years.

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Point of Diversion and Places of Use all situated within the Fallon Indian Reservation and Newlands Irrigation Project, Lahontan Valley. Use of A-Drain water consistent with closure of the TJ-Drain, prescribed by P.L. 101-618

NV. WRS. #933
NV PE #9783
775-867-2647
Phone No.

Francis E. DuBois III, P.E.
Type or print name clearly

By Francis E. DuBois III
Signature, applicant or agent

111 Carson River Drive
Street and No., or P.O. Box No.

Fallon, NV 89406
City, State, Zip Code No.

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APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$250 FILING FEE MUST ACCOMPANY APPLICATION