



THE STATE OF NEVADA

PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant: HEIKKA LIVING TRUST, DATED 12/21/2006
Source: THOMAS CREEK
Basin: TRUCKEE MEADOWS
Manner of Use: RECREATIONAL
Period of Use: January 1st to December 31st
Priority Date: 08/05/1859

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, place and manner of use of a portion of the waters of Thomas Creek as heretofore granted under Permit 74935 which changed the point of diversion, place and manner of use of Claim 718, Truckee River 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 totalizing meter 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 issued subject to the continuing jurisdiction and regulation by the Federal Water Master.

This permit is issued for the maintenance of a pond not to exceed a surface area of 0.06 acres.

The point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0042 cubic feet per second or 0.25 acre-feet annually.

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

May 30, 2009

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

May 30, 2010

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 30th day of May, A.D. 2008

Handwritten signature of Tracy Taylor, P.E. over the printed text 'State Engineer'.

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office JAN 10 2008
Returned to applicant for correction JAN 18 2008
Corrected application filed FEB 08 2008, MAR 11 2008 Map filed JAN 10 2008

The applicant Richard M. Heikka and Madelyn Heikka, Trustees, or their successors in trust, under the Heikka Living Trust, dated December 21, 2006.

5650 MT. Rose HWY. of Reno
Street and No. or P.O. Box No. City or Town
Nevada, 89520-3013, hereby makes application for permission to change the
State and Zip Code No.

Point of Diversion and Manner and Place of Use of a portion
of water heretofore appropriated under, Permit Number 74935.
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree

and identify right in Decree.

1. The source of water is Thomas Creek
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.25 afa.
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Recreation
Irrigation, power, mining, commercial, etc. If for stock state number and kind of animals. Must limit to one major use.

4. The water heretofore used for Storage
If for stock state number and kind of animals.

5. The water is to be diverted at the following point The NE 1/4 SW 1/4, Section 26, T18N, R19E, MD&M or at a point
Describe as being within a 40-acre subdivision of public survey and by course
From which the W 1/4 corner of said section 26, T18N, R19E, MDM, bears N 71° 03' 35" W, a distance of 1,710 feet.
and distance to a section corner. If on unsurveyed land, it should be stated.

Refer to map filed with this application.

6. The existing point of diversion is located within The NW 1/4 SE 1/4 of Section 13, T18N, R19E, MD&M, or at a
If point of diversion is not changed, do not answer.
point from which the southeast corner of said Section 13, bears South 45° 14' 54" East, a distance of 2,155.56 feet,
Refer to map filed under Application 71455 (sheet #2).

7. Proposed place of use Pond water storage located in the NW 1/4 NE 1/4 SW 1/4, Section 26, T18N, R19E, MD&M,
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

Refer to map filed with this application. A.P.N. 150-260-08

8. Existing place of use On site storage associated with a surface water treatment plant located in the NE 1/4 SW 1/4 and NW 1/4 of
Section 21, T18N, R20E, M.D.M., Ultimate place of use to be determined by Secondary the SW 1/4
Applications. Refer to map filed under Application 70937

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. 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.) Water will be diverted from Thomas Creek then placed into the
State manner in which water is to be diverted, i.e. diversion structure, ditches,
existing pond on the property.
pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works Completed

13. Estimated time required to construct works Completed
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Ten (10) years

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

Water will be diverted as shown on map accompanying this application and routed through pond.

By John D. Markey
Signature, applicant or agent
4860 Hilton Court
Street and No., or P.O. Box No.
Reno, NV. 89519
City, State, Zip Code No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Office Phone # (775) 747-7343

\$150 FILING FEE MUST ACCOMPANY APPLICATION