



CORRECTED PERMIT

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: THE PYRAMID LAKE PAIUTE TRIBE OF INDIANS
Source: TRUCKEE RIVER
Basin: TRACY SEGMENT
Manner of Use: WILDLIFE
Period of Use: AS DECREED
Priority Date: AS DECREED

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 place and manner of use of the waters of the Truckee River as heretofore granted under Claim 622, 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 suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

The issuance of this permit fully abrogates 450.0 acre-feet per season associated with the 100 acres under Truckee River Claim 622 as described in the existing place of use. The issuance of this permit is for the consumptive use portion only, being 2.5 acre-feet per acre of the base right. The remaining portion of the base right will remain in the river for use by other decreed right holders.

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

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 5.0 cubic feet per second or 250.0 acre-feet as decreed.**

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

N/A

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

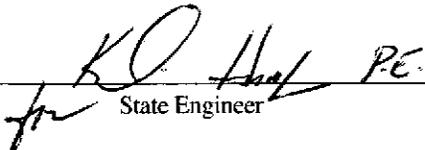
October 30, 2010

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 9th day of June, A.D. 2009



State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb



See Corrected Permit Permit No. 76934

THE STATE OF NEVADA

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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 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 5.0 cubic feet per second or 450.0 acre-feet as decreed.

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

N/A

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

October 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 October, A.D. 2008

[Signature] 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..... **APR 11 2008**

Returned to applicant for correction.....

Corrected application filed..... Map filed..... **FEB. 02, 2001 under 67182**

Sheet 1

The applicants...**See Attachment A.**

.....**P.O. Box 256**.....of.....**Nixon**.....
Street and No. Or P.O. Box No. City or Town

.....**Nevada 89424**....., hereby make application for permission to change the
State and Zip Code No.

.....~~point of diversion~~, place of use, and manner of use

of water heretofore appropriated under.....**United States of America v. Orr Ditch Co. in**.....
Equity No. A-3, Claim No. 622; in the Federal District Court of Nevada.

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.

Handwritten:
MPL
for
4/23/08

1. The source of water is.....**Truckee River**.....
Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed... **5.0 cfs - 450 acre-feet annually**.....
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for...**Wildlife, including instream flows for fish (cui-ui and Lahontan cutthroat trout)**
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...**As decreed**.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following point...**There will be no diversion, the water is to remain in the Truckee River from the existing point of diversion to Pyramid Lake.**.....

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 stated.

6. The existing point of diversion is located within...**As decreed, NW1/4 SE1/4, Section 18, T19N, R21E, M.D.B. & M. Alargomarsino-Murphy (South Side) Ditch. Refer to map filed with Application No. 67182 in support of existing point of diversion.**

If point of diversion is not changed, do not answer.

Handwritten:
or at a point from which NE corner of Section 18, T.19N, R21E, bears N48°45'E a distance of 3,018.0'.

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83-5

7. Proposed place of use...Truckee River downstream of the existing point of diversion to the Pyramid Lake inlet as shown on the map accompanying Application No. 67182.

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use..As decreed: NW1/4 NE1/4 (28.5 acres), NE1/4 NE1/4 (4.9 acres), and NE1/4 NW1/4 (3.3 acres) in Section 15; SE1/4 SE1/4 (23.0 acres) and SW1/4 SE1/4 (8.7 acres) in Section 10; SW1/4 SW1/4 (6.5 acres), NW1/4 SW1/4 (19.8 acres), and SW1/4 NW1/4 (5.3 acres) in Section 11, all in T19N, R21E, MDB&M. 100 acres in total. See Attachment C - per Orr Ditch Decree.

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..As decreed.....to..As decreed.....of each year.
Month and Day Month and Day

10. Use permitted from..As decreed.....to..As decreed.....of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provision of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.)..No new diversion works will be constructed.....

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

12. Estimated cost of works...N/A.....

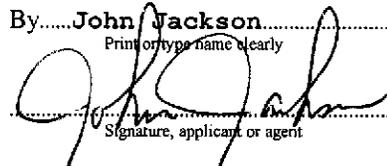
13. Estimated time required to construct works...N/A.....
If well completed, describe well.

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.

See Attachment B. Also, refer to attached Orr Ditch Decree map Sheet 17 (Attachment C), entitled "Decreed Irrigated Areas," dated September 17, 1973, in support of existing places of use.

By.....John Jackson.....
Print or type name clearly


Signature, applicant or agent

.....P.O. Box 256.....
Street and No., or P.O. Box No.

.....Nixon, Nevada 89424.....
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment A

The applicants are:

- 1) **The United States as trustee for the Pyramid Lake Paiute Tribe of Indians, acting through the Bureau of Indian Affairs.**

Allen Anspach, Western Regional Director
Bureau of Indian Affairs
400 N. 5th Street, 14th Floor
Phoenix, Arizona 85001 Phone: (602) 379-6600

and

- 2) **The Pyramid Lake Paiute Tribe of Indians.**

John Jackson, Director of Water Resources
Pyramid Lake Paiute Tribe of Indians
P.O. Box 256
Nixon, Nevada 89424 Phone: (775) 574-1050

11-11-11 10:11 AM

Attachment B

This application is filed pursuant to the attached Order dated February 28, 1984, in the case of United States v. Orr Water Ditch Co., Equity No. A-3, in the United States District Court for the District of Nevada and in the interest of comity among the United States, the Pyramid Lake Paiute Tribe of Indians and the State of Nevada. The applicants specifically reserve all of their rights, interests and authorities pertaining to this matter including, without limitation, all rights and authorities asserted in arguments previously made to the Orr Ditch Court in connection with the above referenced February 28, 1984 Order and the rights to contest the jurisdiction of the Nevada State Engineer and to seek de novo review in the Orr Ditch Court of any orders, decisions, rulings or other actions of the Nevada State Engineer.

The water to be transferred will be used during the irrigation season, through November 15, subject to the condition that no more than 25 percent of the total water right amount will be used in any month. In addition, no more than 5.0 cfs will be used at any time.

RECEIVED
FEBRUARY 28 1984
CLERK OF DISTRICT COURT
DISTRICT OF NEVADA