Permit No. 77137

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 GRACE IRATCABAL FAMILY LIMITED PARTNERSHIP**
Source:	**TRUCKEE RIVER**
Basin:	**TRUCKEE MEADOWS**
Manner of Use:	**IRRIGATION**
Period of Use:	**AS DECREED**
Priority Date:	**AS DECREED**

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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 of use of a portion of the waters of the Truckee River as heretofore granted under Claim 340, 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.

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 subject to the continuing jurisdiction and regulation of the Federal Water Master.

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

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.256 cubic feet per second or 62.47 acre-feet as decreed, and a yearly duty of 4.0 acre feet per acre of land irrigated from any and/or all sources.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**March 15, 2011**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**March 15, 2013**
Map in support of proof of beneficial use shall be filed on or before:	**March 15, 2013**

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of **March**, A.D. **2010**

for K. L. Hall P.E.
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

SECOND AMENDED

Application No. 77137

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 JUN 1 3 2008

Returned to applicant for correction JUN 2 4 2008

Corrected application filed DEC 1 6 2009 Map filed AUG 2 1 2008

The applicant THE GRACE IRATCABAL FAMILY LIMITED PARTNERSHIP

2710 SPANISH SPRINGS ROAD (Street Address or PO Box) of SPARKS, NV (City or Town)

89436 (State and ZIP Code) hereby make(s) application for permission to change the

☐ Point of diversion ☑ Place of use ☐ Manner of use ☑ of a portion

of water heretofore appropriated under (Identify existing rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

CLAIM OR RIGHT NO.340 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
   (Name of stream, lake, underground, spring or other sources.)

2. The amount of water to be changed 62.47 ACRE FEET
   (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)

3. The water to be used for AS DECREED
   (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 (Describe as being within a 40-acre subdivision of public survey and by course and distance to a found section corner. If on unsurveyed land, it should be stated.)

   SITUATE IN THE NE1/4 SW1/4 OF SECTION 17 T19N, R19E, MDM, AT A POINT FROM WHICH THE NW CORNER OF SECTION 20, T19N, R19E, MDM, BEARS S 44 40' W, 3,211 FEET, AS SHOWN ON MAP TO ACCOMPANY PERMIT NO. 67182. (ORR DITCH)

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

THE NW1/4 NW1/4, 0.6 AC (APN 035-267-01 0.5 AC), (APN 035-261-10 0.1 AC); NE1/4 NW1/4, 9.1 AC (APN 035-267-01 2.3 AC), (APN 035-261-10, 6.8 AC) OF SECTION 27, T20N, R20E, MDM; AND SE1/4 NE1/4 5.9 AC (5.9 AC APN 035-183-03) OF SECTION 28, T20N, R20E, MDM, TOTALING 15.6 AC.

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)

THE NW1/4 NW1/4 7.1 AC (APN 035-261-10, 035-267-01 & DISC DRIVE; NE1/4 NW1/4 1.6 AC (APN 035-261-10; SW1/4 NW1/4 0.4 AC (APN 035-261-10); SE1/4 NW1/4 5.1 AC (APN 035-261-10); NW1/4 NE1/4 0.8 AC (SPARKS BLVD); SW1/4 NE1/4 0.4 AC (SPARKS BLVD); OF SECTION 27, T20N, R20E, MDM; AND SE1/4 NE1/4 0.2 AC (APN 035-183-03) OF SECTION 28, T20N, R20E, MDM, TOTALING 15.6 AC.

9. Proposed use will be from AS DECREED (Month and Day) to ASDECREED (Month and Day) of each year.

10. Existing use permitted from AS DECREED (Month and Day) to AS DECREED (Month and Day) of each year.

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

GATE VALVES AT FOUR LOCATIONS IN ORR DITCH, DITCHES, FLOOD IRR. AND SIPHON.

12. Estimated cost of works $10,000

13. Estimated time required to construct works ONE YEAR

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use ONE YEAR

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

THE PURPOSE FOR CHANGING THE PLACE OF USE IS TO ACCOMODATE HISTORICAL CHANGES IN THE IRRIGATED AREA TOGETHER WITH THE CONSTRUCTION OF DISC DRIVE.

2009 DEC 16 PM 2:31

STATE ENGINEER'S OFFICE

16. Miscellaneous remarks:

George G. Lindesmith, PLS / WRS(agent)

Type or print name clearly

Signature, applicant or agent

gglindesmith@tristateltd.com

E-mail Address

(775) 358-9491

Phone No.

Tri State Surveying, Ltd.

Company Name

1925 East Prater Way

Street Address or PO Box

Sparks, NV 89434

City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09

$200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION