



**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:** JAY RHODES AND DEBORAH FERREIRA  
**Source:** OPHIR CREEK  
**Basin:** WASHOE VALLEY  
**Manner of Use:** AS DECREED  
**Period of Use:** AS DECREED  
**Priority Date:** 06/17/2008

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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 the waters of Ophir Creek as heretofore granted under Proof 02745 as it appears in the Matter of Determination of the Relative Rights in and to the Waters of Ophir Creek and its Tributaries, in the District Court of the Second Judicial District of the State of Nevada in and for the County of Washoe, 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 measuring device must be installed and measurements of water use 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 for the irrigation of 0.63 acres within the proposed place of use.

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 0.016 cubic feet per second or 2.52 acre-feet as decreed.

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

December 24, 2009

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

December 26, 2011

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

December 26, 2011

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 26th day of December, A.D. 2008

*for* K.L. Hull P.E.  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

llb

**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 17 2008

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed JUN 17 2008

The applicant Jay Rhodes and Deborah Ferreira

3200 Old U.S. 395 of Washoe Valley  
Street Address or P.O. Box City or Town

Nevada 89704, hereby make(s) application for permission to change the  
State and Zip Code

- Point of diversion       Place of use       Manner of use       of a portion

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

Claim V02745 - Ophir Creek Decree

1. The source of water is Ophir Creek / Dall Ditch  
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed <sup>0.016</sup>~~0.010~~ c.f.s., 2.52 A.F.A. <sup>(24)</sup>  
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.)  
NW¼ SE¼ Section 34, T.17N., R.19E., M.D.M., or at a point from which the E¼ corner of said Section 34 bears North 73° 07' East a distance of 2,328 feet.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
No change.

89-112

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

Within the NE¼ SE¼ Section 34, T.17N., R.19E., M.D.M., also known as APN 046-032-10.  
0.63 acres to be irrigated.

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.)

Within the NE¼ SE¼ Section 34, T.17N., R.19E., M.D.M., also known as APN 046-032-09.  
0.63 acres being moved for irrigation purposes from APN 046-032-09 to APN 046-032-10.

9. Proposed use will be from As Decreed to As Decreed of each year.  
Month and Day Month and Day

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

Gated diversion from Ophir Creek to Dall Ditch to small pond - diverted from pond to irrigation system.

12. Estimated cost of works Works completed - approximately \$1,000 in improvements

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

14. Estimated time required to complete the application of water to beneficial use 3 years

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.)

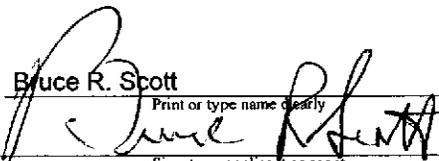
The original diversion structures are still in place and being used. A headgate off of Ophir Creek is piped to Dall Ditch, a gated diversion and 2" pvc piping is utilized to fill a small pond approximately 5' x 10' x 3' holding roughly 1,200 gallons, and then water is diverted from the pond for irrigation and domestic purposes on APN 046-032-10.

16. Miscellaneous remarks:

See the attached supporting map and the map filed under 02745 for reference.

(775) 883-1600  
Phone No.

E-mail

By Bruce R. Scott  
Print or type name clearly  
  
Signature, applicant or agent

Resource Concepts, Inc.  
Company Name

340 N. Minnesota St.  
Street Address or P.O. Box

Carson City, NV 89703  
City, State, Zip Code

**APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT**

**\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION**