



**TEMPORARY
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: SOMERSETT DEVELOPMENT COMPANY, LTD.
Source: TRUCKEE RIVER
Basin: TRUCKEE CANYON SEGMENT
Manner of Use: AS DECREED
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 temporary permit, to change the point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 91, 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 temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

This temporary permit is subject to the continuing 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.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.104 cubic feet per second or 10.13 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: **N/A**

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 23rd day of **October**, A.D. **2008**

State Engineer

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 JUL 25 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed SEPT. 29, 1978 under 35752

The applicant Somersett Development Company, Ltd. c/o Blake Smith

Post Office Box 34360 of Reno

Street Address or P.O. Box

City or Town

Nevada 89533, 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 91 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, 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 10.125 AFA; along with a pro-rata share of the diversion rate.

Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for as Decreed Purposes

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 Purposes

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.)

within the SW1/4 of the SW1/4 of Section 14, T. 19N., R. 18E., MDM from which the SW corner of said Section 14 bears South 58 degrees 30 minutes West a distance of 1400 feet. Please refer to map filed under Permit No. 35752 - aka Mogul Pump Station.

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

SE1/4 NE1/4 of Section 30, T. 19N., R. 18E., MDM or at a point from which the NE corner of said Section 30 bears North 8 degrees 33 minutes East, a distance of 1520.0 feet (Coldron Ditch as decreed). Please refer to supporting map filed under Application to Change No. 74572.

m/w

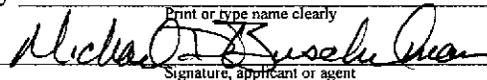
9/1/12

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
within the SE1/4 SE1/4 Section 35, T. 20N., R. 18E., MDM and portions of the following Sections: S1/2 Section 1, Section 2, Section 3, Section 10, Section 11, Section 12 and N1/2 NE1/4 Section 13, T. 19N., R. 18E., MDM. Please see map associated with Permit No. 70613.
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.)
2.25 acres within SW1/4 NE1/4 of Section 18, T. 19N., R. 18E., MDM. Claim No. 91 has a duty of 4.5 acre feet per acre for a total of 10.125 acre feet. Please refer to supporting map filed under Application to Change No. 74572. Washoe County APN 038-082-26
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.)
Water will be diverted by existing motor, pump, still well system and pipeline to place of use.
12. Estimated cost of works None - Existing
13. Estimated time required to construct works None - Existing
If well completed, describe well.
14. Estimated time required to complete the application of water to beneficial use 5 years
15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary). The proposed use should be temporary in nature, or the requested change should be the result of an unforeseen occurrence: (Failure to provide a detailed description may cause a delay in processing)
This is a temporary application to change to provide needed Truckee River water for the Somerset golf course and landscaping. This temporary application to change is to replace Temporary Permit No. 76212-T, which expires on October 24, 2008.
16. Miscellaneous remarks:
Applicant requests that action be held on pending Application to Change No. 74572 to allow water under this temporary to be utilized for golf course and landscape irrigation.

(775) 355-9628
Phone No.

mike@mbuschelman.com
E-mail

By Michael D. Buschelman

Print or type name clearly

Signature, applicant or agent

Michael D. Buschelman Consulting, Inc.
Company Name

Post Office Box 51371
Street Address or P.O. Box

Sparks, Nevada 89435
City, State, Zip Code

STATE ENGINEERS OFFICE

2008 JUL 25 AM 11:48

RECEIVED

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

\$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION