

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: UNITED STATES OF AMERICA
FISH AND WILDLIFE SERVICE

Source: TRUCKEE & CARSON RIVERS

Basin: CARSON DESERT

Manner of Use: RECREATIONAL

Period of Use: AS DECREED

Priority Date: 07/02/1902

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 and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees, is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein

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 expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due the same as if the water were still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (b).

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 160.86 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:

February 25, 2014

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 25th day of February, A.D. 2009

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

Completion of work filed June 25, 1998 under 62742

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 AUG 13 2008

Returned to applicant for correction _____

Corrected application filed _____ Map filed AUG 13 2008

The applicant United States of America, Fish and Wildlife Service

1000 Auction Road of Fallon
Street Address or P.O. Box City or Town

NV 89406, 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.)
United States of America v. Orr Ditch Company in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Company No. D-183 BRT; both in the United States District Court of Nevada.

1. The source of water is Truckee and Carson Rivers.
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 160.86 acre-feet (53.80 acres 2.99 acre-feet per acre).
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for maintenance of wetlands for recreation and wildlife/storage.
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.)
The Lahontan Dam, being within the SW 1/4 SE 1/4, Section 33, Township 19 North, Range 26 East, Mount Diablo Base and Meridian.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
No change.

101-CH

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

All federally owned or controlled lands within the approved boundary of Stillwater National Wildlife Refuge, as described in Exhibit "A" and supporting map filed with Permit No. 65700 and Carson Lake, as described in Exhibit "B" and supporting map filed with Permit No. 66229.

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.)

18.90 acres in the SW 1/4 NW 1/4, 24.50 acres in the NW 1/4 SW 1/4 and 10.40 acres in the SW 1/4 SW 1/4 of Section 10, Township 18 North, Range 28 East, Mount Diablo Base and Meridian; 53.80 total acres; all from Truckee-Carson Irrigation District Serial No. 105-A.

9. Proposed use will be from as decreed to _____ of each year.
Month and Day

10. Existing use permitted from as decreed to _____ of each year.
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.)

No new diversions or storage works on the Truckee River or the Carson River will be constructed.

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 10 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.)

See attached cover letter.

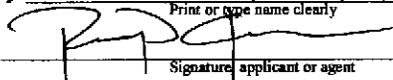
16. Miscellaneous remarks:

Applicant expressly reserves the right to transfer in a later proceeding 0.51 acre-feet for each of the 39.0 acres and the 1.51 acre-feet for the 14.8 acres from which the 2.99 acre-feet are to be transferred by this application.

(775) 423-5128
Phone No.

richard_grimes@fws.gov
E-mail

By Richard Grimes, Supervisory Realty Specialist
Print or type name clearly



Signature applicant or agent

NV Realty Office, US Fish & Wildlife Service
Company Name

1000 Auction Road
Street Address or P.O. Box

Fallon NV 89406
City, State, Zip Code

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

\$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

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EXHIBIT A

PROPOSED PLACE OF USE
APPLICATION TO CHANGE NEWLANDS PROJECT WATER RIGHT

The proposed place of use is Stillwater National Wildlife Refuge, consisting of all Federally-owned or Federally-controlled lands within:

Township 21 North, Range 32 East, Mount Diablo Meridian

Sections: 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32, 33, and 34

Township 21 North, Range 31 East, Mount Diablo Meridian

Sections: All

Township 20 North, Range 32 East, Mount Diablo Meridian

Sections: 3, 4, 5, 6, 7, 8, 9, 10, 16, 17, 18, 19, 20, 21, 29 and 30

Township 20 North, Range 31 East, Mount Diablo Meridian

Sections: All

Township 19 North, Range 31 East, Mount Diablo Meridian

Sections: 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29, 30, 31, 32 and 33

Township 19 North, Range 30 East, Mount Diablo Meridian

Section 13: all those portions of the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, and SE $\frac{1}{4}$ SE $\frac{1}{4}$ lying east of Stillwater Slough

Section 24: NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$ NE $\frac{1}{4}$

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EXHIBIT B

PROPOSED PLACE OF USE
APPLICATION TO CHANGE NEWLANDS PROJECT WATER RIGHT

The proposed place of use is Carson Lake, consisting of the lands within:

Township 16 North, Range 29 East,

tract 37;

sec. 1, lots 3 to 6, inclusive, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;

sec. 2, lots 1, 2, and 5 to 10, inclusive, S $\frac{1}{2}$ SE $\frac{1}{4}$;

sec. 3, lots 3, 4, and 6 to 9, inclusive, S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, and SE $\frac{1}{4}$;

sec. 4, lots 1, 2, and 5 to 7, inclusive, NE $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$;

sec. 5, lots 1 to 4, inclusive, S $\frac{1}{2}$ SW $\frac{1}{4}$, and S $\frac{1}{2}$ SE $\frac{1}{4}$;

sec. 6, lots 1 to 3, inclusive, and lots 8, 11, 12, 14, and 17, S $\frac{1}{2}$ SE $\frac{1}{4}$.

Township 17 North, Range 29 East,

tract 37;

tract 38;

tract 40;

sec. 9, lots 4, 6, 8, and 10;

sec. 19, lots 1 to 4, inclusive.

Township 18 North, Range 29 East,

sec. 35, S $\frac{1}{2}$ SE $\frac{1}{4}$.

Township 16 North, Range 30 East,

sec. 5, lots 3 to 6, inclusive, and lots 11 and 12, SW $\frac{1}{4}$;

sec. 6, lots 1 to 21, inclusive, and SE $\frac{1}{4}$.

Township 17 North, Range 30 East,

tract 37;

sec. 5, lots 3 and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$ and SW $\frac{1}{4}$;

sec. 6, lots 1 to 5, inclusive, and lots 9 to 12, inclusive, S $\frac{1}{2}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$;

sec. 7, lot 4, and lots 7 to 12, inclusive, NW $\frac{1}{4}$ NE $\frac{1}{4}$, and E $\frac{1}{2}$ NE $\frac{1}{4}$;

sec. 8, W $\frac{1}{2}$;

sec. 17, W $\frac{1}{2}$;

sec. 18, lots 1 to 4, inclusive;

sec. 19, lot 1;

sec. 20, lots 1 to 4, inclusive, E $\frac{1}{2}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;

sec. 29, lots 1 to 4, inclusive, E $\frac{1}{2}$ NW $\frac{1}{4}$, and E $\frac{1}{2}$ SW $\frac{1}{4}$;

sec. 30, lot 1;

sec. 31, lots 1, 2, and 6 to 9, inclusive;

sec. 32, W $\frac{1}{2}$.

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