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:	**ED VENTURACCI AND SONS**
Source:	**TRUCKEE & CARSON RIVERS**
Basin:	**CARSON DESERT**
Manner of Use:	**AS DECREED**
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 temporary permit to change the place of use of a portion of the waters of the Truckee and Carson Rivers as set forth in the Truckee and Carson River final decrees and as set forth under a portion Permit 50002 which changed the place of use of a portion 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 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 on **November 15, 2009** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

(Continued on Page 2)

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 555.625 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 9th day of **April**, A.D. **2009**

for State Engineer

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TEMPORARY

Serial No. 77797

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 JAN 15 2009

Returned to applicant for correction.....

Corrected application filed..... Map filed JAN 15 2009

The applicant Ed Venturacci and Sons

P.O. Box 1293 (Street and No. Or P.O. Box No.) of Fallon (City or Town)

Nevada, 894067 (State and Zip Code No.), hereby make.... application for permission to change the

Place of Use of a portion

of water heretofore appropriated under... United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the Federal District Court of Nevada and a portion of Permit #50002 (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

1. The source of water is Truckee River and Carson River (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 555.625 ac..ft. (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....Lahontan Dam within SW¼ SE¼ Section 33, T.19N., R.26E., M.D.B.&M. (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 no change (If point of diversion is not changed, do not answer.)

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7. Proposed place of use..... NE¼ NW¼ (20.53 ac.), SE¼ NW¼ (19.70 ac.), NE¼ SW¼ (31.23 ac.), NW¼ SE¼ (22.48 ac.), NE¼ SE¼ (16.50 ac.), SE¼ SW¼ (36.60 ac.)of Section 1, T.17N., R.28E., NE¼ SW¼ (4.00 ac.), NW¼ SE¼ (4.40 ac.), SW¼ SE¼ (2.08 ac.), SE¼ SW¼ (1.23 ac.) of Section 12, T.17N., R.28E., M.D.B.&M. A total of 158.75 ac. Truckee Carson Irrigation District Serial # 1 & 3, 6-A-1 & 6-A-4

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

8. Existing place of use..... NE¼ NE¼ (17.01 ac.), SE¼ NE¼ (19.10 ac.), SW¼ NE¼ (27.51 ac.), NW¼ SE¼ (25.58 ac. and 1.00 ac. of permit 50002), SE¼ NW¼ (13.05 ac.), NE¼ SW¼ (18.60 ac.) of Section 25, all in T.19N., R.28E., NW¼ NW¼ (.20.80 ac.) ,NE¼ NW¼ (3.75 ac.) , SW¼ NW¼ (12.35 ac.) of Section 30, all in T.19N., R.29E, M.D.B.&M. A total of 158.75 ac. Truckee Carson Irrigation District Serial No. 538, 538-A-1, 538-A-2, 538-A-3, 538-B & 538-59

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.....of each year.
Month and Day — Month and Day

10. Use permitted from.....as decreed.....to.....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.).....dams, canals & ditches.....

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.....complete.....

13. Estimated time required to construct works.....complete.....

If well completed, describe well.

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

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

By... Brenda L. Gross, Lumos and Associates, Inc.
Print or type name clearly

Brenda L. Gross ..... Agent.
Signature, applicant or agent

178 S. Maine Street
Street and No., or P.O. Box No.

.....Fallon, Nevada 89406.....
City, State, Zip Code No.

2009 JAN 15 PM 1:46

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$100 FILING FEE MUST ACCOMPANY APPLICATION