



## 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:** TINKHAM FAMILY TRUST U/D/T SEPTEMBER 27, 2001  
**Source:** TRUCKEE RIVER  
**Basin:** TRUCKEE CANYON SEGMENT  
**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 permit to change the place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 48, 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 issued subject to the continuing jurisdiction and regulation of the Federal Water Master.

This permit is limited to the irrigation of 0.75 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 3.0 acre-feet as decreed, and not to exceed a seasonal duty of 4 acre-feet per acre 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:

July 7, 2010

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

July 7, 2012

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

July 7, 2012

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 7th day of **July**, A.D. **2009**

K.L. Hurd P.E.  
for 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 FEB 09 2009

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

Corrected application filed \_\_\_\_\_ Map filed FEB 09 2009

The applicant The Tinkham Family Trust U/D/T September 27, 2001

2200 Blue Heron Circle of Reno  
Street Address or P.O. Box City or Town

Nevada 89523, 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.)

A portion of DTR Claim 48 as entered in that certain decree entitled "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 3.0 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.)  
As decreed: Steamboat Canal from the South Bank of the Truckee River within the NE ¼ SW ¼, Section 31, T.19N., R.18E., M.D.B. & M., or at a point from which the SE Corner of said Section 31 bears S. 62° 04' E., a distance of 3195 feet. Refer to existing map filed under the Orr Ditch Decree.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)  
Unchanged

*Handwritten initials/signature*

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

Portions of the NW 1/4 SE 1/4, Section 16, T.19N., R.18E., M.D.B. & M. and further described as being Washoe County Assessor Parcel Number 38-133-13. Refer to map accompanying this application for proposed place of use.

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.)

Please refer to Attachment "A" and map accompanying this application

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

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

Existing diversion dam on the Truckee River thence via the existing Steamboat Canal and laterals

12. Estimated cost of works Completed - Existing Steamboat Canal diversion dam and ditch

13. Estimated time required to construct works Completed - See Items 11 & 12  
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):  
(Failure to provide a detailed description may cause a delay in processing.)

The water being changed by this application will be used on the Applicant's property (Washoe County APN 38-133-13). No new works of diversion or delivery will be constructed.

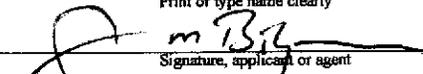
16. Miscellaneous remarks:

Reference is made to the Final Judgment Pursuant to Stipulation for Entry of Judgment dated 11/26/08 filed in the 2nd Judicial District Court for the State of Nevada.

(775) 352-7800  
Phone No.

gregb@tecreno.com  
E-mail

By Gregory M. Bilyeu  
Print or type name clearly

  
Signature, applicant or agent

TEC Civil Engineering Consultants  
Company Name

9480 Double Diamond Parkway, Suite 200  
Street Address or P.O. Box

Reno, NV 89521  
City, State, Zip Code

RECORDED  
2009 FEB -9 PM 4:30  
STATE ENGINEER'S OFFICE

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

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

## Attachment "A"

## 8. Existing Place of Use

## Claim 48

16.8 acres SW ¼ NW ¼, Section 16, T.19N., R.18E., M.D.B. & M.  
15.6 acres SE ¼ NW ¼, Section 16, T.19N., R.18E., M.D.B. & M.  
16.8 acres NE ¼ SW ¼, Section 16, T.19N., R.18E., M.D.B. & M.  
13.1 acres NW ¼ SW ¼, Section 16, T.19N., R.18E., M.D.B. & M.  
16.0 acres NW ¼ SE ¼, Section 16, T.19N., R.18E., M.D.B. & M.  
12.5 acres NE ¼ SE ¼, Section 16, T.19N., R.18E., M.D.B. & M.  
90.8 acres Total

## Area being stripped/transferred

0.75 acres NW ¼ SE ¼, Section 16, T.19N., R.18E., M.D.B. & M.

Please refer to map accompanying this application

RECEIVED  
2009 FEB -9 PM 4:30  
STATE ENGINEERS OFFICE