Permit No. 78576T

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:	**CARLON F. DODGE JR. FAMILY TRUST**
Source:	**TRUCKEE & CARSON RIVERS**
Basin:	**CARSON DESERT**
Manner of Use:	**STORAGE**
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 manner and 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 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 60.264 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 10th day of **July**, A.D. **2009**

State Engineer

llb

AMENDED

TEMPORARY Application No. 78576 T

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 MAY 2 2 2009

Returned to applicant for correction JUN 0 3 2009

Corrected application filed JUN 0 3 2009 Map filed JUN 0 3 2009 under 7 8 5 7 5 T

The applicant Carlon F. Dodge, Jr. Family Trust, Carlon Dodge Jr. Trustee

P.O. Box 1030 (Street Address or P.O. Box) of Fallon (City or Town)

Nevada 89402 (State and Zip Code), hereby make(s) application for permission to change the

☐ 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.)

Truckee-Carson Irrigation District No. 9 United States of America v. Orr Water Ditch Co. in Equity No A.3 Claim No. 3; United State of America v. Alpine Land and Reservoir Company D.C. No. D-183 BRT

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 60.264 AF @ (20.155 acres @ reduced 2.99 AF/acre) (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for 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 Irrigation (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.)
   Lahontan Dam being within the SW1/4 SE1/4 of Section 33, Township 19N., Range 26E., M.D.&M. as Decreed.
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   no change

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
15.066 Acres of a total 33.58 Acre Reservoir and Canals within SW1/4 of Section 25, T. 18N., R. 28E., M.D.M. - Dodge Ranch Reservoir and GT-4 Canal. Please refer to attached POU map. -

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.)
20.155 Acres within - NE1/4 SE1/4, S1/2 SE1/4 of Section 36, T. 18 N., R. 28 E., M.D.M.; NW1/4, N1/4 NE1/4, SW1/4 NE1/4, N1/2 SE1/4 of Section 31, T. 18 N., R. 29 E., M.D.M.; W1/2 NE1/4 of Section 1, T. 17 N., R. 28 E., M.D.M.; Please refer to attached acreage information for the full description of stripping area by legal subdivision.
Please refer to attached stripping map. TCID Serial #'s 9, 9-A.

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

10. Existing use permitted from As Decreed (Month and Day) to As Decreed (Month and Day) of each year.

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.)
dam, canal, reservoir, and ditches

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 1 year

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.)
Water to be delivered to the proposed place of use via the GT-4 and A12/T-4 canal systems. Please see attached remarks for additional information.

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STATE ENGINEER'S OFFICE

16. Miscellaneous remarks:
Please see attached remarks.

775-883-1600
Phone No.

tim@rci-nv.com
E-mail

By Timothy Russell
Print or type name clearly

Timothy Russell
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

$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Carlon F. Dodge Jr., Family Trust, Carlon Dodge Jr. Trustee & Dodge Bros., Inc.
Temporary Change Applications
6/3/2009

Item 8: Stripping Acreage Description by Legal Subdivision

Stripping Areas for Temporary Application for Carlon F. Dodge Jr. Family Trust, Carlon F. Dodge Jr. Trustee.

Section	Subdivision	Township	Range	Irrigation Water To Be Stripped Acreage
36	NE1/4 SE1/4	18N	28E	0.38-9A
36	SE1/4 SE1/4	18N	28E	1.087-9A
36	SW1/4 SE1/4	18N	28E	0.122-9A
1	NW1/4 NE1/4	17N	28E	1.334
1	SW1/4 NE1/4	17N	28E	1.507
31	NE1/4 NE1/4	18N	29E	1.927
31	NW1/4 NE1/4	18N	29E	1.600
31	SW1/4 NE1/4	18N	29E	2.318
31	NE1/4 NW1/4	18N	29E	2.657
31	SE1/4 NW1/4	18N	29E	1.615
31	SW1/4 NW1/4	18N	29E	1.299
31	NW1/4 NW1/4	18N	29E	1.372
31	NE1/4 SE1/4	18N	29E	1.587
31	NW1/4 SE1/4	18N	29E	1.350
TOTAL STRIPPED AREA (ACRES)				20.155

Item 16: Miscellaneous Remarks

The temporary change application to change the place and manner of use of water decreed under Truckee-Carson Irrigation District No. 9 United States of America v. Orr Water Ditch Co. in Equity No A.3 Claim No. 3 and United State of America v. Alpine Land and Reservoir Company D.C. No. D-183 BRT, is being filed for the following reason.

The water delivery practices to Carlon Dodge's Dodge Island Ranch (Churchill County) by the Truckee Irrigation District (TCID) were altered as of the 2007 irrigation season. In the past TCID delivered water to Mr. Dodge's ranch via the GT-4 canal and measured their delivery at a level sensor and data logger located adjacent to the Dodge property. The new TCID delivery practice is to measure the water delivered at the head of the GT-4 canal via a ramp flume located there and subtract a 2 cfs loss. The issue at hand with the new delivery method is that TCID is requiring Mr. Dodge to absorb the loss from the head of the GT-4 canal to Mr. Dodge's property whereas in the past TCID absorbed this loss in the delivery to Mr. Dodge's property (This loss was determined by TCID and the Federal Water Master to be the subtracted 2 cfs). In between the head of the GT-4 canal and the Dodge property is a reservoir operated and maintained by the Dodge Ranch that enables the Dodge Ranch to more efficiently irrigate their property by having a head of water built up above the ranch. With the change in delivery methods the Dodge Ranch is now burdened with the responsibility of offsetting conveyance and losses of water in the reservoir and GT-4 canal to effectively and efficiently maintain their irrigation practices.

The Dodge Ranch has water that may potentially be available for permanent transfer to the reservoir; however, much of the water is currently under question due to ongoing litigation with the Pyramid Lake Tribe. Consequently, as a temporary solution, the Dodge Ranch is proposing to move unencumbered water from around the ranch to to maintain its operational efficiency until a permanent plan can be developed and implemented. It is in the best interest of Mr. Dodge to have water rights on the reservoir and canal to allow efficient irrigation of his property, and Mr. Dodge is committed to finding a long term solution; however, in the interim we feel the temporary change will allow for water to be properly allocated for the reservoir and canal for Mr. Dodge to irrigate efficiently.

This and the accompanying Temporary change application are to move 134.32 AF from 44.923 acres within the Dodge Ranch. When changing from irrigation to a storage manner of use, the water allocation reduces from 3.5 AF/acre to 2.99 AF/acre; by multiplying 44.923 acres by 2.99AF/acre the AF generated is 134.32 AF. Per conversations with the Division of Water Resources 4 AF/acre will be require to be applied to the reservoir and canal for storage use to cover evaporation losses. The reservoir and canal have a surface area of 33.58 acres, which multiplied by 4 AF/acre equals 134.32 AF.

The temporary change is being made with two separate temporary change applications as the ownership of the Dodge Ranch is broken between 4 parcels all controlled by Carlon Dodge but under different ownership names.