

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: FALLON PAIUTE SHOSHONE TRIBE
Source: TRUCKEE & CARSON RIVERS
Basin: CARSON DESERT
Manner of Use: AS DECREED
Period of Use: March 15th to November 15th
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 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.

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 245.0 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:

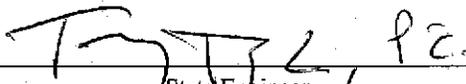
N/A

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 September, A.D. 2009



State Engineer

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 JUL 17 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUL 17 2009

The applicant Fallon Paiute Shoshone Tribe
565 Rio Vista Dr. of Fallon
Street Address or PO Box City or Town
Nevada 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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Final Decree in the United States of America v. Orr Ditch Water Company in Equity No. A3, Claim No. 3; Final Decree in United States of America v. Alpine Land and Reservoir Company et al. Civil 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 245 AF (70A x 3.5 AF/A)
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for 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 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.)

Lahontan Reservoir being within the SW¼ SE¼; Section 33, T.19N, R.26E., M.D.B.&M.

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

101-CH

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

Total of 70 acres within external boundary of Fallon Indian Reservation in T.19N, R.30E., M.D.B.&M.: within the W 1/2 Section 4 (See Exhibit 1)

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.)

Total of 70 acres, 10 acres within each of the following 7 allotments owned by the Fallon Tribal government in T.19N, R.30E., M.D.B.&M.: Section 9 -- SE 1/4 NE 1/4 SE 1/4 (Parcel #211) and NE 1/4 SW 1/4 SE 1/4 (Parcel #T524) and Section 17 -- SE 1/4 SW 1/4 NW 1/4 (Parcel #458) and SE 1/4 NE 1/4 (Parcels #408, 409, 410, and 411)

9. Proposed use will be from March 15 to November 15 of each year.

10. Existing use permitted from March 15 to November 15 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.)

N/A

12. Estimated cost of works Existing

13. Estimated time required to construct works Existing

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): (Failure to provide a detailed description may cause a delay in processing.)

16. Miscellaneous remarks:

STATE OF NEVADA
2009 JUL 17 AM 11:45

Athena.Brown@bia.gov
E-mail Address
(775) 887-3500
Phone No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Athena Brown-Superintendent
Type or print name clearly
Athena L Brown
Signature, applicant or agent
Bureau of Indian Affairs- Western Nevada Agency
Company Name
311 E. Washington Street
Street Address or PO Box
Carson City, Nevada 89701
City, State, ZIP Code