Permit No. 79039T

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:	**UNITED STATES OF AMERICA FISH & WILDLIFE SERVICE**
Source:	**TRUCKEE & CARSON RIVERS**
Basin:	**CARSON DESERT**
Manner of Use:	**RECREATIONAL**
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 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 **November 15, 2010**, at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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 Permit 61129, Certificate 15567 which changed the place of use of a portion of 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 is expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due in the same manner as if the water were still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (b).

(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 2,436.85 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 15th day of **April,** A.D. **2010**

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

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

TEMPORARY Application No. 79039 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 NOV 2 3 2009

Returned to applicant for correction

Corrected application filed Map filed FEB 2 0 1998 under 6 3 6 5 2 pg 2 of 2

The applicant United States of America, Fish & Wildlife Service

1000 Auction Road (Street Address or PO Box) of Fallon (City or Town)

Nevada 89406 (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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Permit No. 61129 and 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 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 2,436.85 acre-feet (815.00 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.)

   Lahontan Dam, being within the SW 1/4 SE 1/4, Section 33, T19N, R26E, M.D.B.&M.

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

   No change

101-CH

79039T

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.

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.)

See Exhibit "B", attached hereto, and supporting map filed with Permit No. 70208T. Portions of Truckee-Carson Irrigation District Serial Nos. 980, 980-2, 980-4, 980-5, 980-6, 980-8, 980-9 and 980-10..

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

10. Existing use permitted from As decreed (Month and Day) to _____ (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.)

No new diversion 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 N/A

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.)

Irrigation rights from within Naval Air Station, Fallon, which are under the jurisidiction of the U.S. Fish and Wildlife Service will be used for maintenance of wetlands within Stillwater National Wildlife Refuge during the 2010 irrigation season.

16. Miscellaneous remarks:

Applicant expressly reserves the right to transfer in a later proceeding 0.51 acre-feet for each of the 815.00 acres from which the 2.99 acre-feet per acre are to be transferred by this application.

2009 NOV 23 AM 9:50
STATE ENGINEER'S OFFICE

Richard Grimes, Supervisory Realty Specialist
Type or print name clearly

Signature, applicant or agent

NV Realty Field Office, U.S. Fish and Wildlife Service
Company Name

1000 Auction Road
Street Address or PO Box

Fallon NV 89406
City, State, ZIP Code

richard_grimes@fws.gov
E-mail Address

(775) 423-5128 (ext. 225)
Phone No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09

$150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Exhibit "A"

7. 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

Township19 North, Range 30 East, Mount Diablo Meridian

Section 13: all those portions of the NE¼ NE¼, SE¼ NE¼, NE¼ SE¼, and SE¼ SE¼ lying east of Stillwater Slough

Section 24: NE¼ NE¼, NW¼ NE¼, NE¼ NW¼, SE¼ NW¼ and SW¼ NE¼

8. The existing place of use:

<u>Township 18 North, Range 29 East, Mount Diablo Meridian</u>

Section 1:	33.30 acres in the SW1/4 SW 1/4	
Section 2:	32.20 acres in the SW1/4 SE 1/4	(includes 5.70 acres from 61129)
	36.00 acres in the SE 1/4 SE1/4	(includes 8.10 acres from 61129)
Section 4:	6.10 acres in the NE1/4 NE1/4	
	22.10 acres in the SW1/4 NE 1/4	(includes 5.50 acres from 61129)
	25.60 acres in the NW1/4 SE1/4	(includes 6.00 acres from 61129)
	3.00 acres in the NE1/4 SE1/4	
	30.50 acres in the SW1/4 SE1/4	(includes 17.80 acres from 61129)
	26.70 acres in the SE1/4 SE1/4	(includes 5.20 acres from 61129)
Section 9:	1.60 acres in the SE1/4 NE1/4	
Section 10:	0.60 acres in the NW1/4 NW1/4	(includes 0.40 acres from 61129)
	27.30 acres in the NE1/4 NW1/4	(includes 27.30 acres from 61129)
	0.70 acres in the SW1/4 NW1/4	
	22.30 acres in the SE1/4 NW1/4	(includes 22.30 acres from 61129)
	27.30 acres in the NW1/4 NE1/4	(includes 27.30 acres from 61129)
	32.70 acres in the SW1/4 NE1/4	(includes 32.70 acres from 61129)
Section 11:	1.00 acres in the NE1/4 NW1/4	
	14.50 acres in the NW1/4 NE1/4	
	22.90 acres in the NE1/4 NE1/4	
	14.80 acres in the NE1/4 SW1/4	
	36.90 acres in the NW1/4 SE1/4	(includes 3.80 acres from 61129)
	38.70 acres in the NE1/4 SE1/4	(includes 6.70 acres from 61129)
	17.70 acres in the SW1/4 SE1/4	(includes 2.20 acres from 61129)
	33.30 acres in the SE1/4 SE1/4	(includes 1.40 acres from 61129)
Section 25:	2.20 acres in the NW1/4 NW1/4	
	23.40 acres in the SW1/4 NW1/4	
	8.20 acres in the NW1/4 NE1/4	
	15.30 acres in the SW1/4 NE 1/4	
	17.50 acres in the NE1/4 SW1/4	
Section 26:	20.60 acres in the SE1/4 NW1/4	
	17.70 acres in the SW1/4 NE1/4	
	18.40 acres in the SE1/4 NE1/4	

Exhibit "B", continued

Section 26:	37.10 acres in the NE1/4 SW1/4
	35.10 acres in the SE1/4 SW1/4
	37.70 acres in the NW1/4 SE1/4
	38.10 acres in the NE1/4 SE1/4
	35.90 acres in the SW1/4 SE1/4

A total of 815.00 acres. **(includes 172.40 acres from 61129)**