



THE STATE OF NEVADA

**PERMIT TO CHANGE THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Name of applicant: AUSTIN FARM, LLC
Source: TRUCKEE RIVER
Basin: TRUCKEE CANYON SEGMENT
Manner of Use: IRRIGATION
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 permit to change the point of diversion, manner and place of use of a portion of the waters of the Truckee River as heretofore granted under Permit 76826, which changed the point of diversion, manner and place of use of a portion of Claims 224/225, 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 by the Federal Water Master and State Engineer.

This permit is limited to the irrigation of 11.54 acres of land within the described 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 0.1254 cubic feet per second or 46.17 acre-feet as decreed and not to exceed 4.0 acre-feet per acre of land irrigated 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:

June 15 2011

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

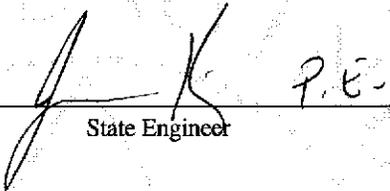
June 15 2013

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

June 15 2013

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 15th day of **June**, A.D. **2010**



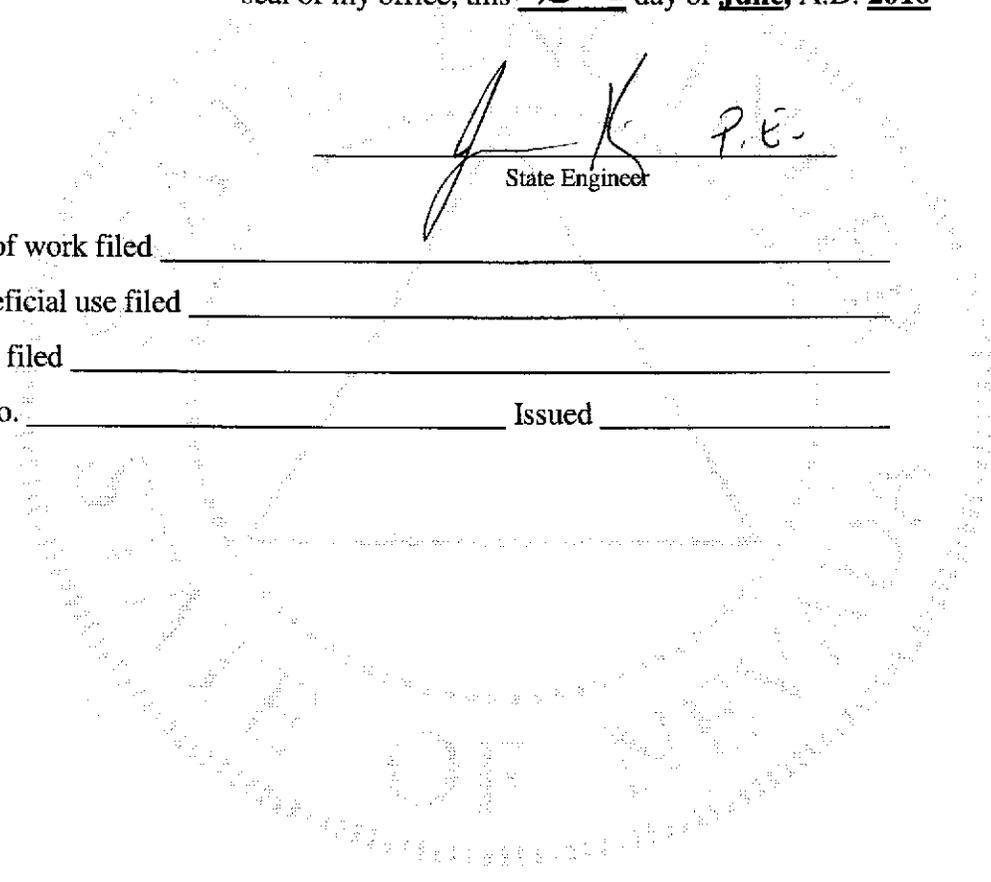
State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____



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 13 2010

Returned to applicant for correction _____

Corrected application filed _____ Map filed JUN 23 1977 under 27595

The applicant Austin Farm, LLC, a Nevada limited liability company
500 Damonte Ranch Parkway, Suite 703 of Reno
Street Address or PO Box City or Town
Nevada 89521 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.)

Permit 76826

STATE ENGINEER'S OFFICE
 2010 JAN 13 PM 1:23

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 0.128 cfs, not to exceed 47.16 acre-feet
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation
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 Municipal & Domestic
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 1/4 SW 1/4, 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 and also map filed under Permit 27595.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
The points of diversion of Truckee Meadows Water Authority's existing water treatment plants and Washoe County's Induction Well #4 as described in attachment Exhibit "A" and as shown on the map supporting Permit No. 74746 on file with the Division of Water Resources, State of Nevada.

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

Portions of the following subdivisions: NE 1/4 NW 1/4, SE 1/4 NW 1/4, NE 1/4 NE 1/4, SE 1/4 NE 1/4, SW 1/4 NE 1/4, NW 1/4 NE 1/4, NW 1/4 SE 1/4, NE 1/4 SE 1/4, all in Section 21, T.18N., R.20E., M.D.B. & M., and illustrated on the map accompanying Application 79194 filed on January 7, 2010.

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 attached Exhibit "B" as described in Permit No. 74746 and shown on the map accompanying said Permit on file with the Division of Water Resources, State of Nevada.

9. Proposed use will be from As decreed January 1 to As decreed December 31 of each year.
Month and Day Month and Day

10. Existing use permitted from January 1 to December 31 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 Steamboat Canal Diversion structure on the Truckee River then via Steamboat Canal to Steamboat Creek then from Steamboat Creek via existing Chandler Ditch and other farm ditches at the proposed place of use

12. Estimated cost of works Completed - See Permit 27595 (Cert. 9706) Steamboat Canal Diversion Dam

13. Estimated time required to construct works Completed - See Permit 27595 (Cert. 9706)
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use Five (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 under this permit is being changed, along with other water rights back to irrigation use. Water will be diverted from the Truckee River at the Steamboat Canal and then conveyed via said canal to Steamboat Creek near Rhodes Lane. From there it will be conveyed down Steamboat Creek to the proposed place of use.

16. Miscellaneous remarks:

Water under Permit 76826 is currently in the name of Washoe County. The deed conveying the portion of Permit 76826 being changed by this application to Austin Farms, LLC will filed with the State Engineer's office by the time this application is ready for action.

gregb@tecreno.com

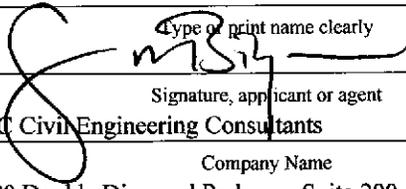
E-mail Address

(775) 352-7800 ext 227

Phone No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Gregory M. Bilyeu


Type or print name clearly
Signature, applicant or agent

TEC Civil Engineering Consultants

Company Name

9480 Double Diamond Parkway, Suite 200

Street Address or PO Box

Reno, NV 89521

City, State, ZIP Code

The following describes the multiple points of diversion for Truckee Meadows Water Authority's Water Treatment Plants and Facilities and Washoe County's Hidden Valley Induction Well #4, which are shown on the map accompanying Application No. 74746 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR) Detail 1:

The point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

KATZ DITCH (VERDI FLUME) Detail 2:

The point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 19, T. 19N., R. 18E., M.D.B.&M., Washoe County, Nevada from said point of diversion, the Southeast corner of said Section 19 bears South 39°58' East, a distance of 845.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR) Detail 3:

The point of diversion is situate within the Southwest one-quarter of the Southeast one-quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT) Detail 4:

The point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT) Detail 5:

The point of diversion is situate within the Northeast one-quarter of the Southeast one-quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

IDLEWILD TREATMENT PLANT Detail 6:

The point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT) Detail 7:

The point of diversion is situate within the Southwest one-quarter of the Northeast one-quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

WASHOE COUNTY (HIDDEN VALLEY INDUCTION WELL #4) Detail 8:

The point of diversion is situate within the West one-half of the Northwest one-quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$) of Section 16 T.19N., R.20E., M.D.B.&M., Washoe County, Nevada from said point of diversion, the West one-quarter corner of Section 21, T.19N., R.20E., M.D.B.&M. bears South 09°54'07" West, a distance of 6929.94 feet.

SEARCHED
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 JAN 1 1998
 1:23

EXHIBIT "B"
PROPOSED PLACE OF USE

79202

<u>DIVISION</u>	<u>SECTION</u>	<u>T-N</u>	<u>R-E</u>	
ALL	1-5	18	18	M.D.B.& M.
E ½	6 & 7	18	18	M.D.B.& M.
ALL	8-17	18	18	M.D.B.& M.
E ½	18 & 19	18	18	M.D.B.& M.
ALL	20-29	18	18	M.D.B.& M.
E ½	30 & 31	18	18	M.D.B.& M.
ALL	32-36	18	18	M.D.B.& M.
ALL	1-5	19	18	M.D.B.& M.
E ½	6 & 7	19	18	M.D.B.& M.
ALL	8-17	19	18	M.D.B.& M.
E ½	18 & 19	19	18	M.D.B.& M.
ALL	20-29	19	18	M.D.B.& M.
E ½	30 & 31	19	18	M.D.B.& M.
ALL	32-36	19	18	M.D.B.& M.
ALL	1-5	20	18	M.D.B.& M.
E ½	6 & 7	20	18	M.D.B.& M.
ALL	8-17	20	18	M.D.B.& M.
E ½	18 & 19	20	18	M.D.B.& M.
ALL	20-29	20	18	M.D.B.& M.
E ½	30 & 31	20	18	M.D.B.& M.
ALL	32-36	20	18	M.D.B.& M.
ALL	1-5	21	18	M.D.B.& M.
E ½	6 & 7	21	18	M.D.B.& M.
ALL	8-17	21	18	M.D.B.& M.
E ½	18 & 19	21	18	M.D.B.& M.
ALL	20-29	21	18	M.D.B.& M.
E ½	30 & 31	21	18	M.D.B.& M.
ALL	32-36	21	18	M.D.B.& M.
ALL	1-36	17	19	M.D.B.& M.
ALL	1-36	18	19	M.D.B.& M.
ALL	1-36	19	19	M.D.B.& M.
ALL	1-36	20	19	M.D.B.& M.
ALL	1-36	21	19	M.D.B.& M.

<u>DIVISION</u>	<u>SECTION</u>	<u>T-N</u>	<u>R-E</u>	
ALL	5 & 6	16	20	M.D.B.& M.
ALL	1-36	17	20	M.D.B.& M.
ALL	2-35	18	20	M.D.B.& M.
W ½	36	18	20	M.D.B.& M.
ALL	1-12	19	20	M.D.B.& M.
N ½	13	19	20	M.D.B.& M.
ALL	14-23	19	20	M.D.B.& M.
ALL	26-35	19	20	M.D.B.& M.
ALL	06, 07 & 18	19	21	M.D.B.& M.
ALL	1-36	20	20	M.D.B.& M.
ALL	1-36	21	20	M.D.B.& M.
ALL	1-36	20	21	M.D.B.& M.
ALL	1-36	21	21	M.D.B.& M.