



# 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:** 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 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 portions of Permit 61237, Certificate 16243 and Permit 70584 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.

(Continued on Page 2)

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).

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 375.8 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:

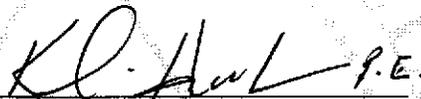
N/A

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

  
\_\_\_\_\_  
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 JAN 25 2010

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

Corrected application filed \_\_\_\_\_ Map filed JAN 25 2010

The applicant United States of America, Fish & Wildlife Service  
1000 Auction Road 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.)

Permit No. 61237, Permit No. 70584 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 375.80 acre-feet (107.37 acres @ 3.50 acre-feet per acre)  
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.)  
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

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

See Exhibit "A".

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". Truckee-Carson Irrigation District Serial Nos. 50, 111, 111-4, 485 and a portion of 738-3.

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.)

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.)

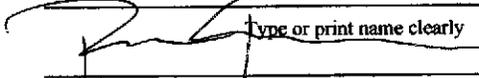
Consistent with the U.S. Fish and Wildlife Service's 1996 Record of Decision "Water Rights Acquisition for Lahontan Valley Wetlands," this application is to provide water during the 2010 season for establishing native vegetation on acquired lands where water rights have previously been removed.

16. Miscellaneous remarks:

richard\_grimes@fws.gov  
E-mail Address  
(775) 423-5128 (ext. 225)  
Phone No.

APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT

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

RECEIVED  
2010 JAN 25 PM 2:27  
STATE CLERK CARSON RIVER

## EXHIBIT "A"

## PROPOSED PLACE OF USE

Township 19 North, Range 30 East, Mount Diablo Meridian:

Section 23:	NE ¼ NE ¼	21.20 acres
	NW ¼ NE ¼	18.87 acres
	NE ¼ NW ¼	19.10 acres
	SE ¼ NW ¼	20.50 acres
	NE ¼ SW ¼	11.00 acres
Section 27:	NE ¼ NE ¼	13.00 acres
	NW ¼ NE ¼	3.70 acres
	TOTAL:	107.37 acres

**EXHIBIT "B"**

## EXISTING PLACE OF USE

Township 18 North, Range 28 East, Mount Diablo Meridian:

Section 1:	SW ¼ NE ¼	32.06 acres
Section 10:	NW ¼ SE ¼	30.45 acres

Township 19 North, Range 28 East, Mount Diablo Meridian:

Section 16:	NW ¼ SW ¼	14.85 acres
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Township 19 North, Range 29 East, Mount Diablo Meridian:

Section 36:	NW ¼ NW ¼	3.10	
	SW ¼ NW ¼	26.91	(includes 0.60 acres from a portion of Permit 61237 and 1.80 acres from a portion of Permit 70584.)
	TOTAL:	107.37 acres	