Permit No. 79253

THE STATE OF NEVADA

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

Name of applicant:	**JAMES N. SMRT AND JACQUE M. SMRT**
Source:	**GALENA CREEK**
Basin:	**PLEASANT VALLEY**
Manner of Use:	**AS DECREED**
Period of Use:	**AS DECREED**
Priority Date:	**03/01/1860**

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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 permit, to change the point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claims 650 and 651, 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 2.95 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.

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The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.0738 cubic feet per second or 13.3 acre-feet as decreed and not to exceed 4.50 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:	**July** 27 **2011**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**July** 27 **2013**
Map in support of proof of beneficial use shall be filed on or before:	**July** 27 **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 27th day of **July**, A.D. **2010**

J. K. P.E.

State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Application No. 79253

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 27 2010

Returned to applicant for correction

Corrected application filed Map filed DEC 20 2004 under 72078

The applicant JAMES N. SMRT and JACQUE M. SMRT

6543 Galena Canyon Trail (Street Address or PO Box) of Reno (City or Town)

NV 89511 (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.)

Claim 650 and 651 of The Truckee River Decree, said decree entered in the District Court of The United States for Nevada in that certain action entitled, "The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al., Defendants," in Equity Docket No. A-3

1. The source of water is Galena Creek
   Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 0.074 CFS and 13.30 acre feet annually
   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.)
   SE1/4 SW1/4 of Section 2, T.17N., R.19E., M.D.B.&M. or at a point from which the South one quarter corner of said Section 2 bears S. 74° 59' 06" E. a distance of 1337.9 feet (Timothy Ditch).
   See Map supporting Application ~~65729~~. 72078 CMM 2/18/10

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   On or above lands as decreed from Big Springs Ditch and others (per decree - no other information is available.)

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

SE1/4 NE1/4 SECTION 11, T.17N., R.19E. M.D.B. & M. and
SW1/4 NW1/4 SECTION 12, T.17N., R.19E., M.D.B. & M. - 4.86 acres
APN 148-122-04 (Lot #8)

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.)

NE1/4 NE1/4 Section 11, T.17N., R.19E., M.D.B. & M. - 2.19 acres
See Parcel "O" of supporting map.
SW1/4 NW1/4 Section 12, T.17N., R.19E., M.D.B. & M. - 1.333 acres
See Parcel "A" of map supporting Application 79214

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.)

Existing diversion structures, open ditches, small pond, pump and pressurized distribution system.

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 Ten 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.)

Water is diverted from Galena Creek through the Timothy Ditch into a storage pond. Water is pumped from the pond and placed into a pressurized distribution system and delivered to single family lots within the Galena Canyon subdivision for irrigation purposes.

16. Miscellaneous remarks:

Claim 650 - 0.033 CFS, 1.333 acres, 6.00 AF
Claim 651 - 0.041 CFS, 2.19 acres, 7.30 AF

2010 JAN 27 PM 12:22

ROBERT E. FIRTH
Type or print name clearly

Signature, applicant or agent

firthwater@sbcglobal.net
E-mail Address

323-4323
Phone No.

Company Name

360 East Riverview Circle
Street Address or PO Box

Reno, NV 89509
City, State, ZIP Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09 $200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION