



# TEMPORARY

## THE STATE OF NEVADA

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

Name of applicant: FREY RANCH, LLC  
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, 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, 2010 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 25.655 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:

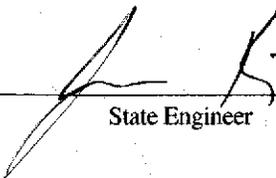
N/A

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

N/A

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of July, 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	<u>APR 16 2010</u>
Returned to applicant for correction	_____
Corrected application filed	Map filed <u>MAY 14 2010</u>

The applicant Frey Ranch LLC  
1045 Dodge Lane of Fallon,  
Street Address or P.O. Box City or Town  
NV, 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 right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

United States of America vs Orr Ditch Co. in Equity No. A-3 Claim 3; United States of America vs Alpine Land and Reservoir Co. No. D-183 both in the Federal District Court of Nevada

- The source of water is Truckee and Carson Rivers  
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 7.33 acres @3.5 a/f  
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- 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.
- The water heretofore used for As decreed  
If for stock, state number and kind of animals.
- 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 SW1/4 SE1/4, Section 33, T19N., R26E., M.D.B.&M.
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

- 7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)  
SW SW 7.33 ac., Section 3, T18N., R28E., M.D.B.&M. T.C.I.D. Serial No. 64-4
  
- 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.)  
NW NW 5.7006 ac. SW NW 1.6294 ac. Section 5, T17N., R29E., M.D.B.&M. Serial No. 6-A-B

- 9. Proposed use will be from As decreed to As decreed of each year.  
Month and Day Month and Day
- 10. Existing use permitted from As decreed to As decreed 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.)
- 12. Estimated cost of works Complete

13. Estimated time required to construct works Complete  
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). The proposed use should be temporary in nature, or the requested change should be the result of an unforeseen occurrence: (Failure to provide a detailed description may cause a delay in processing.)  
Water right is being temporarily transferred to cover non-water righted land until such time a permanent water right is established.

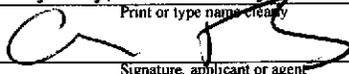
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16. Miscellaneous remarks:  
A portion of the water right in this transfer is being applied to lands that the water right has been retired under AB380. See attached quitclaim deeds.

775-423-4000  
Phone No.

cpfrey@phonewave.net  
E-mail

By Colby Frey, member Frey Ranch Partnership  
Print or type name clearly

  
Signature, applicant or agent

Frey Ranch LLC  
Company Name

1045 Dodge Lane  
Street Address or P.O. Box

Fallon, NV 89406  
City, State, Zip Code

**APPLICATION MUST BE SIGNED  
BY THE APPLICANT OR AGENT**

***\$180 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION***

**Frey Ranch Partnership  
Water Right Transfer Calculations  
4-May-10**

**Total 10.9 W/R Acres @3.5 A/F needed for Roze USF&W site**

	<b>FRP North <u>Vineyard</u></b>	<b>FRP South <u>Vineyard</u></b>	<b>FRP <u>Total</u></b>	<b><u>Roze</u></b>
W/R Acreage Total FRP	10.20	4.09	14.29	7.33
SF per Acre	<u>43,560</u>	<u>43,560</u>		<u>43,560</u>
Total SF	<u>444,312.00</u>	<u>178,160.40</u>	<u>622,472.40</u>	<u>319,295</u>
% of Total	0.7138	0.2862	1.0000	
Allocate Roze	227908.11	91386.69	319294.80	7.33 Proof
SF Balance	216403.89	86773.71	303177.60	6.96 Proof
Acres Balance	4.967949615	1.992050385	6.96	6.96 Proof
Number Vines	6400	3500	9900	
Spacing	<u>5</u>	<u>5</u>	<u>5</u>	
Total Length Feet	<u>32000</u>	<u>17500</u>	<u>49500</u>	
Width	6.762621414	4.958497987	6.12480000	
Average Width in Feet	6.1248	6.1248	6.1248	
Total SF	195993.6	107184	303177.6	
SF per Acre	43,560	43,560	43,560	
Acres Remaining	4.499393939	2.460606061	6.96	
Acres Transferred	5.232050385	2.097949615	7.33	
Total	9.731444324	4.558555676	14.29	
W/R Acreage Total FRP	10.20	4.09	<b>14.29</b>	
Acres Remaining @ FRP	4.499393939	2.460606061	<b>6.96</b>	
Acres Transferred FRP to Roze	5.7006	1.6294	<b>7.33</b>	

\\Dsf\dfs\shared\Cad Drawings\Roze Vineyard

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