



TEMPORARY

THE STATE OF NEVADA

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

Name of Permittee: MICHAEL T. HABERTHUR AND DEANNA HABERTHUR
Source: TRUCKEE RIVER
Basin: TRUCKEE CANYON SEGMENT
Manner of Use: AS DECREED
Period of Use: EXPIRES DECEMBER 31, 2011
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 temporary permit to change the place of use of a portion of the waters of the Truckee River as heretofore granted under Claims 97/97a, 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 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 **December 31, 2011** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

This temporary permit is limited to the irrigation of 1.50 acres within the proposed place of use and not to exceed 4.0 acre-feet per acre from any and/or all sources.

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 0.029 cubic feet per second or 6.0 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:

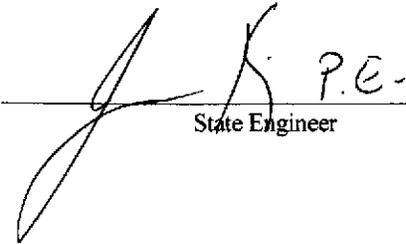
N/A

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 24th day of June, A.D. 2011



State Engineer

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 APR 26 2011

Returned to applicant for correction _____

Corrected application filed _____ Map filed APR 26 2011

The applicant MICHAEL T. HABERTHUR and DEANNA HABERTHUR
3015 Mario Road of Verdi
Street Address or PO Box City or Town
Nevada 89523 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.)

Claims 97 and 97a 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 Truckee River
Name of stream, lake, underground, spring or other sources.
2. The amount of water to be changed 0.029 CFS and 6.00 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.)
NW1/4 NE1/4 of Section 16, T. 19N., R. 18E., M.D.B.&M., or at a point from which the Northeast corner of said Section 16 bears S. 87° 35' E. a distance of 2,004.00 feet (Washoe Power Ditch).
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
No Change

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

Section 15, T.19N., R.18E., M.D.B.&M.
E1/2 SW1/4 - 1.50 acres within APN 38-651-02
Reference is made to Map TR-033

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.)

Section 15, T.19N., R.18E., M.D.B.&M.
E1/2 SW1/4 and W1/2 SE1/4 - 1.50 acres within APN 038-651-01
Reference is made to Map TR-033
Reference is also made to map filed with Application 79988

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.)

Diversion dam, spillway and metering device diverts water from the Truckee River into the Washoe Power Canal. Existing Washoe Power Canal diversion structure and ponds and irrigation ditches within the proposed place of use.

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 one year

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 will be diverted from an existing diversion structure within the Washoe Power Canal into onsite ponds and irrigation ditches for the irrigation of existing pasture.

16. Miscellaneous remarks:

Originally appurtenant decreed water rights were stripped from APN 038-651-02 under Permit 77788.

firthwater@sbcglobal.net
E-mail Address

323-4323
Phone No. Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

ROBERT E. FIRTH

[Signature]
Type or print name clearly
Signature, applicant or agent

Company Name
360 East Riverview Circle
Street Address or PO Box
Reno, NV 89509
City, State, ZIP Code

STATE ENGINEERING OFFICE
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RECEIVED