Permit No. 80815

THE STATE OF NEVADA

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

Name of Permittee:	**JIM FOSTER**
Source:	**TRUCKEE RIVER**
Basin:	**TRACY SEGMENT**
Manner of Use:	**IRRIGATION**
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 permit, to change the place of use of a portion of the waters of the Truckee River as set forth under the Claim Number 3 in the Truckee River final 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

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.

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 4.815 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:	**March 21 2015**
Map in support of proof of beneficial use shall be filed on or before:	**March 21 2015**

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21st day of **March,** A.D. **2012**

for State Engineer

Completion of work filed February 21, 1996 under 60692

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Application No. 80815

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 29 2011

Returned to applicant for correction _____

Corrected application filed _____ Map filed APR 29 2011

The applicant Jim Foster

55 Apple Court (Street Address or PO Box) of Fernley (City or Town)

Nevada, 89408 (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.)

United States of America v. Orr Ditch Co. in Equity No. A-3, Claim No. 3; in the Federal District Court of Nevada.

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 4.815 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 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.)

   Derby Dam located within the NE1/4 SW1/4 Section 19, T20N., R23E., M.D.B.&M.

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

83-55

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

1.07 acres SE1/4 SW1/4, Section 10, T20N., R24E., M.D.B.&M.

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.)

1.07 acres NW1/4 SW1/4, Section 10, T20N., R24E., M.D.B.&M.

9. Proposed use will be from as decreed (Month and Day) to as decreed (Month and Day) of each year.

10. Existing use permitted from as decreed (Month and Day) to as decreed (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.)

Dam, Canal & Ditches

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 3 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.)

Re-water righting area stripped by City of Fernley.

16. Miscellaneous remarks:

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2011 APR 29 PM 1:59
STATE ENGINEER'S OFFICE

Barry A. Fitzpatrick
Type or print name clearly

Barry Fitzpatrick
Signature applicant or agent

bfitzpatrick@lumosengineering.com
E-mail Address

775-883-7077
Phone No. Ext.

Lumos & Associates, Inc.
Company Name

800 E. College Parkway
Street Address or PO Box

Carson City, Nevada 89706
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