



THE STATE OF NEVADA

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

Name of Permittee: BARTLEY M. O'TOOLE AND HOLLY A. O'TOOLE
Source: TRUCKEE & CARSON RIVERS
Basin: CARSON DESERT
Manner of Use: IRRIGATION
Period of Use: AS DECREED
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 permit to change the place of use of a portion of the waters of the Newlands Reclamation Project rights in the Truckee and Carson River final decrees and portions of Permit 47840, Certificate 16246, and Permits 69765 and 71638 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.

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 under the provisions of NRS 533.040 Paragraph 4 and is limited to the irrigation of 10.65 acres of land within the proposed place of use.

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 47.93 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:

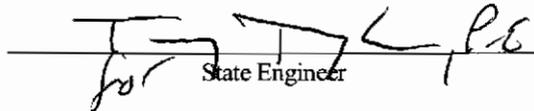
October 25 2015

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

October 25 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 25th day of **October, 2012**



State Engineer

Completion of work filed June 25, 1998 under 62742 _____

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 MAY 29 2012

Returned to applicant for correction _____

Corrected application filed _____ Map filed MAY 29 2012

The applicant Bartley M. O'Toole and Holly A. O'Toole
3285 Boyer 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.)

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 Federal District Court of Nevada and permits 47840, 69765, 71638.

- 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 47.925 Acre-feet
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 within the SW¼ SE¼ 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.)

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
10.65 Acres @ 4.5 duty SW¹/₄ NW¹/₄ and SE¹/₄ NW¹/₄ in Section 8, T.18N., R.28E., M.D.B.&M.
Per NRS 533.040 (Paragraph 4) See attached

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.)
1.00 acres @ 4.5 SE¹/₄ SE¹/₄, 8.54 acres @ 3.5 (47840) SW¹/₄ NW¹/₄, .50 acres @ 3.5 (47840) SE¹/₄ NW¹/₄, all in Section 8, T18N., R28E.,M.D.B.&M. .90 acres @ 4.5 SW¹/₄ NE¹/₄ Section 35, T19N., R28E.,M.D.B.&M. .30 acres @4.5 (71638) SW¹/₄ SW¹/₄ Section 16, T19N., R28E.,M.D.B.&M. 1.00 acres @ 3.5 SE¹/₄ SE¹/₄ Section 27, T19N., R28E.,M.D.B.&M. .37 acres @ 4.5 NW¹/₄ SE¹/₄ and .11 acres @ 4.5 (69765) SW¹/₄ SE¹/₄ Section 24, T19N., R28E.,M.D.B.&M. .21 acres @ 3.5 SE¹/₄ NE¹/₄ Section 36, T19N., R28E.,M.D.B.&M.

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.)

Dams, Canals and 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.)

Per NRS 533.040 (Paragraph 4) 10.65 acres of water right being transferred to farm unit.

16. Miscellaneous remarks:

Proposed place of use has been increased to a bench classification of 4.5 acre-feet per acre.

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Phone No. Ext.

Barry A. Fitzpatrick, S.W.R.S. # 817

Barry A. Fitzpatrick
Type of print name clearly
Signature, applicant or agent

Fitzpatrick Water Rights & Surveying
Company Name

305 N. Carson Street, Suite 203

Carson City, Nevada 89701
Street Address or PO Box
City, State, ZIP Code

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APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT