



THE STATE OF NEVADA

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

Name of Permittee: EARL D. BERNSTEIN AND SHEILA W. BERNSTEIN
Source: TRUCKEE RIVER
Basin: TRACY SEGMENT
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 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.

This Permit is issued under the provisions of NRS 533.040 Paragraph 4 and is limited to the irrigation of 4.0 acres 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 18.0 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-Filed Under 60692 on February 21, 1996

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

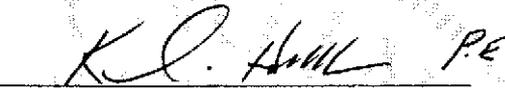
July 23, 2016

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

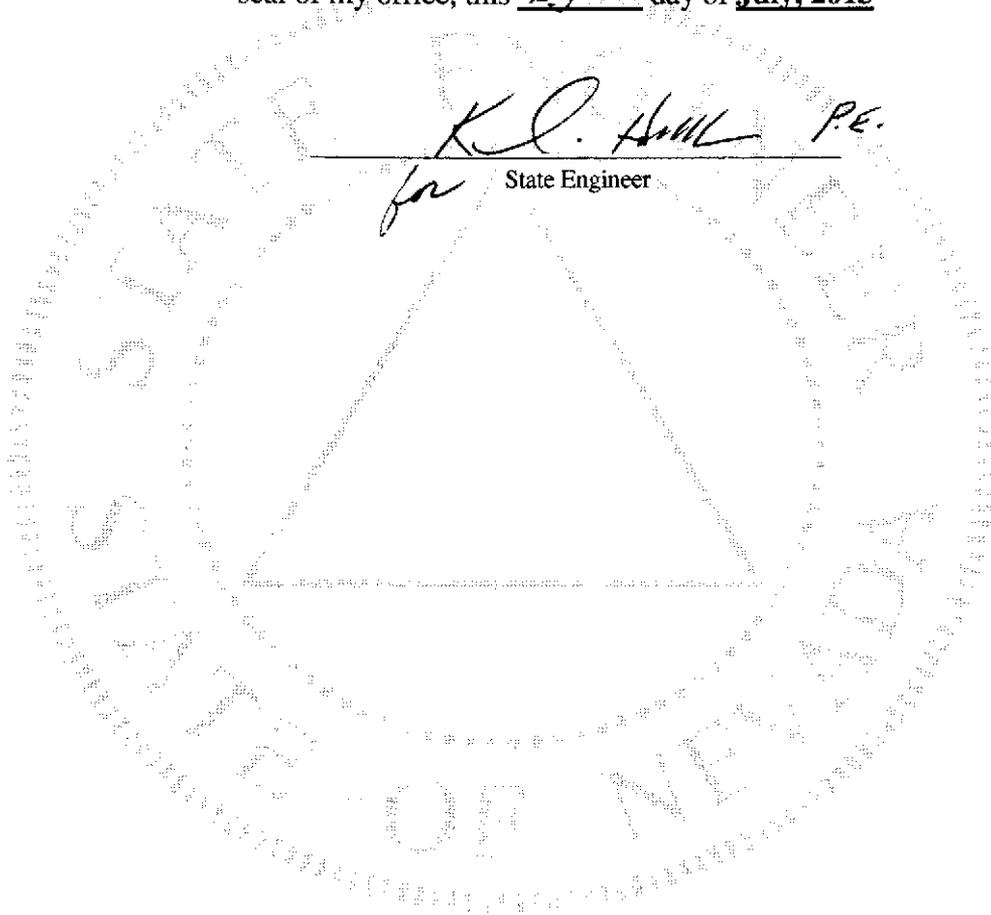
July 23, 2016

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

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 23rd day of **July, 2013**



for 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 | <u>JUL 19 2012</u> |
| Returned to applicant for correction | _____ |
| Corrected application filed | _____ Map filed _____ |

The applicant Earl D. Bernstein and Sheila W. Bernstein
843 S. Stewart Drive of Kanab
Street Address or PO Box City or Town
Utah 87471 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; in the Federal District Court of Nevada.

- The source of water is Truckee River
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed 18.00 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.)
Derby Dam located within the NE1/4 SW1/4 Section 19, T20N., R23E., M.D.B.&M.
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)

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JUL 19 2012

STATE ENGINEER'S OFFICE

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

4.00 acres NE 1/4 SW 1/4 & SE SW, Section 19, T20N., R25E., M.D.B.&M.

Per NRS 533.040 Paragraph 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.)

3.20 acres NE 1/4 SW 1/4, .80 acres SE 1/4 SW 1/4 Section 19, T20N., R25E., 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.)

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.)

Transferring 4.00 acres within parcel under NRS 533.040 Paragraph.

16. Miscellaneous remarks:

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buzz@fitzpatrickwr.com

E-mail Address

775-691-4289

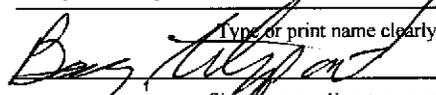
Phone No.

Ext.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

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

Type or print name clearly



Signature, applicant or agent

Fitzpatrick Water Rights & Surveying

Company Name

305 N. Carson Street, Ste. 203

Street Address or PO Box

Carson City, Nevada 89701

City, State, ZIP Code