



THE STATE OF NEVADA

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

Name of Permittee: MOLLY F. AND ROBERT E. SMITH
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 Permit 80788 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 82.91 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 373.095 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 62742 on June 25, 1998

Water must be placed to beneficial use and proof of the application of water to

beneficial use shall be filed on or before:

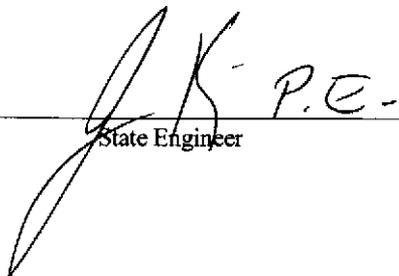
March 21 2016

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

March 21 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 21st day of **March, 2013**



State Engineer

AMENDED

Application No. 82089

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 AUG 30 2012

Returned to applicant for correction

Corrected application filed SEP 24 2012 Map filed APR 15 2011 UNDER 80788

The applicant Molly F. Smith and Robert E. Smith

7250 Curry Road

of Fallon

Street Address or PO Box

City or Town

Nevada, 89406

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; United States of America v. Alpine Land and Reservoir Co., No. D-183 BRT; both in the Federal District Court of Nevada & Permit 80788.

1. The source of water is Truckee and Carson Rivers

Name of stream, lake, underground, spring or other sources.

2. The amount of water to be changed 373.095 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.)

Lahontan Dam within the SW 1/4 SE 1/4 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.)

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

82.91 acres in the SE¼ NW¼, SW¼ NE¼, NE¼ SW¼, NW¼ SE¼, SE¼ NE¼ Section 34, T18N., R28E., M.D.B.&M Per NRS 533.040 Paragraph 4 @ a duty of 4.5 AF/ac. See proposed place of use map under permit 80788.

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.)

82.91 acres in the SE¼ NW¼, SW¼ NE¼, NE¼ SW¼, NW¼ SE¼, SE¼ NE¼ Section 34, T18N., R28E., M.D.B.&M Per NRS 533.040 Paragraph 4 @ 3.5 AF/ac. and SW¼ NE¼ 4.25 Ac., NW¼ SE¼ 4.93 Ac. NE¼ SE¼ 1.00 Ac.(existing POU under permit 50005), NW¼ SE¼ 2.60 Ac., SW¼ NE¼ 1.45 Ac. NW¼ SE¼ 1.75 Ac.(existing POU under permit 60823), SW¼ NE¼ 32.65 Ac. NW¼ SE¼ 21.97 Ac. SE¼ NE¼ 9.43 Ac. NE¼ SE¼ 2.88.Ac. (Pt. of existing POU under permit 80788), Section 34, T18N., R28E., M.D.B.&M.all at a 1.00 acre-foot duty.

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, Canals & 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.)

The remaining 82.91 acre-feet being transferred off of existing places of use of Permits 50005 & 60823 & 80788 to proposed place of use of Permit 80788 because of Federal Watermaster's reclassification of parcel to 4.5 duty.

16. Miscellaneous remarks:

The acreage to be transferred from the existing place of use of Permit 50005 takes into account the two withdrawls from the permit.

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

Barry A. Fitzpatrick

Signature, applicant or agent

Fitzpatrick Water Rights & Surveying

Company Name

305 N. Carson Street, Suite 203

Street Address or PO Box

Carson City, Nevada 89701

City, State, ZIP Code

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