



# THE STATE OF NEVADA

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

**Name of Permittee:** B & J DAIRY, LP  
**Source:** STREAM (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 47848 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 166.3 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 582.05 acre-feet as decreed.**

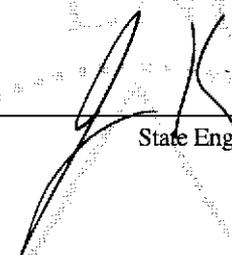
Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **Filed Under 62742 on June 21, 1998**

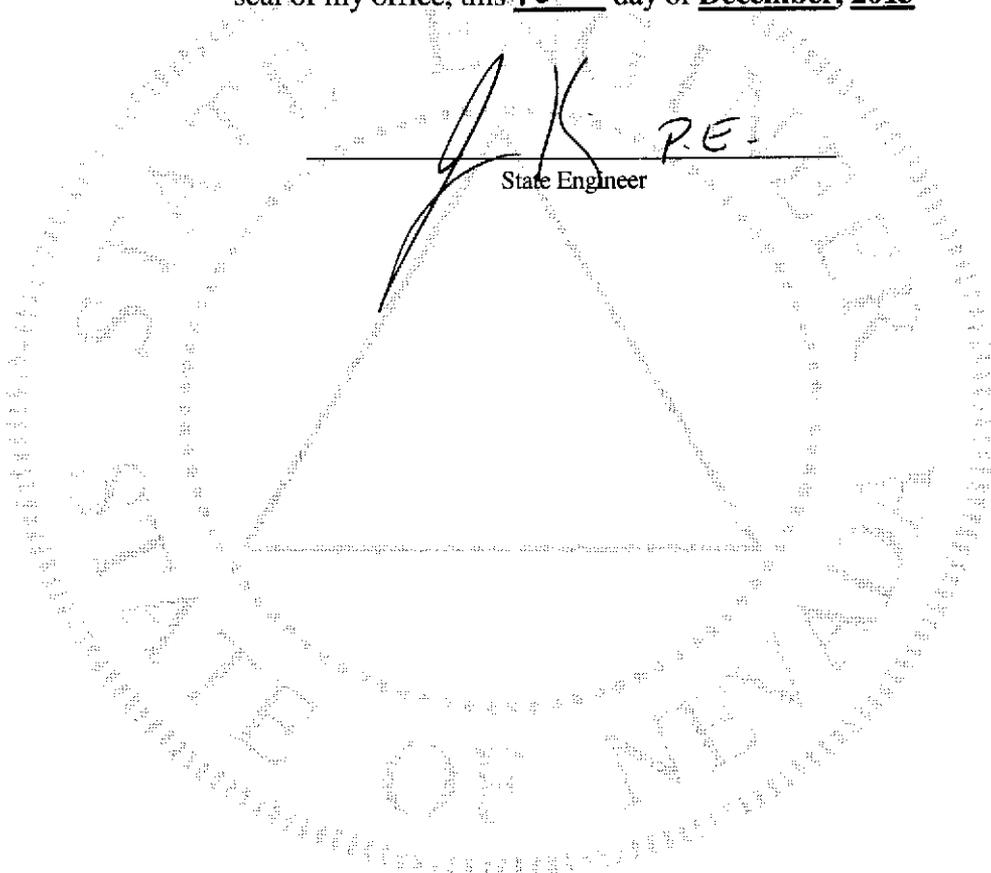
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **December 10 2016**

Map in support of proof of beneficial use shall be filed on or before: **December 10 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 10<sup>th</sup> day of **December, 2013**

 P.E.  
\_\_\_\_\_  
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 AUG 20 2013

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_ Map filed AUG 20 2013

The applicant B & J Dairy, L.P., a California Partnership  
10490 Arno Road of Galt  
Street Address or PO Box City or Town  
California, 95632 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 permit 47848

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 582.05 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 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.)

*Carson Desert  
8- 101  
ch*

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

166.30 acres NW 1/4 SW 1/4, SW 1/4 SW 1/4 Section 9, and NE 1/4 SE 1/4, SE 1/4 SE 1/4, SW 1/4 SE 1/4, SE 1/4 SW 1/4, SW 1/4 NW, SE 1/4 NW, NE 1/4 SW 1/4, NW 1/4 SE Section 8, all in T19N., R29E., 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.)

NW 1/4 SW 1/4 29.25 acres decreed and 3.00 acres permit 47848, SW 1/4 SW 1/4 31.80 acres decreed and 5.30 acres permit 47848 Section 9, NE 1/4 SE 1/4 23.30 acres decreed, SE 1/4 SE 1/4 26.47 acres decreed and 7.60 acres permit 47848, SW 1/4 SE 1/4 25.07 acres decreed and .51 acres permit 47848, SE 1/4 SW 1/4 14.00 acres decreed. All in T19N R29E MDB&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, 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.)

Transferring 166.30 acres of water right per NRS 533.040 Paragraph 4

16. Miscellaneous remarks:

This transfer will correct issues on permit 47848.

RECEIVED  
2013 AUG 20 AM 11:20  
STATE ENGINEERS OFFICE

BARRY FITZPATRICK

Type or print name clearly

[Signature]

Signature, applicant or agent

FWR & S

Company Name

305 N CARSON SUITE 203

Street Address or PO Box

CARSON CITY, NV 89701

City, State, ZIP Code

E-mail Address  
775-691-4289  
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT