

**IN THE OFFICE OF THE STATE ENGINEER
OF THE STATE OF NEVADA**

IN THE MATTER OF APPLICATIONS)
57555, 61893 AND 63277 FILED TO)
CHANGE THE MANNER AND PLACE OF)
USE OF THE WATERS OF THE)
TRUCKEE RIVER, STOREY AND)
WASHOE COUNTIES, NEVADA.)

RULING
#5744A

GENERAL

I.

On May 31, 2007, the State Engineer issued Ruling No. 5744. It has since been realized that a few typographical errors existing in the ruling. On Page 39 of the Ruling, the State Engineer found as to Parcel No. 26 of Application 57555 that there was not clear and convincing evidence to support a finding of forfeiture or abandonment. On pages 52 through 53 of the Ruling, the State Engineer found as to Parcel 42 of Application 61893 that the Protestant did not prove a sufficient period of non-use prior to the dedication of the water right to support a finding of forfeiture or abandonment. On pages 53 through 54 of the Ruling, the State Engineer found as to Parcel 44 of Application 61893 that the Protestant did not prove a sufficient period of non-use prior to the dedication of the water right to support a finding of forfeiture or abandonment. On page 56 of the Ruling, the State Engineer found as to Parcel 48 of Application 61893 that the Protestant did not prove a sufficient period of non-use prior to the dedication of the water right to support a finding of forfeiture or abandonment. On Page 58 of the Ruling, the State Engineer found as to Parcel No. 61 of Application 61893 that the Protestant did not prove a sufficient period of non-use prior to dedication of the water right to support a finding of forfeiture or abandonment. However, in Conclusion Nos. III and IV of the Ruling and in the Ruling section, the State Engineer declared Parcel No. 26 of Application 57555 forfeited and Parcel Nos. 42, 44, 48 and 61 forfeited. To correct these errors, Conclusions III and IV and the Ruling are amended as follows. All remaining portions of the State Engineer's Ruling No. 5744 remain unchanged.

CONCLUSION

III.

As to Application 57555, the State Engineer concludes the water rights appurtenant to Parcels 3, 4, 6, 7, 8, 9, 14, 16, 18, 22, 23, 24, and 25 are forfeited. The water rights appurtenant to Parcels 12, 15, 19 and 26 for a total of 40.45 acre-feet can be changed under Application 57555.

IV.

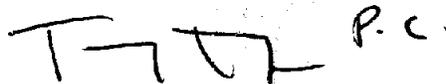
As to Application 61893, the State Engineer concludes the water right appurtenant to Parcel 23 is forfeited. The water rights appurtenant to Parcels 2, 3, 4, 5, 8, 10, 11, 12, 15, 17, 18, 20, 21, 22, 24, 26, 27, 29, 31, 34, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 51, 52, 60, 61, 62, 64, 66, 67, 69 and 74 for a total of 435.65 acre-feet can be changed under Application 61893.

RULING

As to Application 57555, the water rights appurtenant to Parcels 3, 4, 6, 7, 8, 9, 14, 16, 18, 22, 23, 24, and 25 are forfeited and the water rights appurtenant to Parcels 12, 15, 19 and 26 totaling 40.45 acre-feet can be changed.

As to Application 61893, the water right appurtenant to Parcel 23, is forfeited and the water rights appurtenant to Parcels 2, 3, 4, 5, 8, 10, 11, 12, 15, 17, 18, 20, 21, 22, 24, 26, 27, 29, 31, 34, 37, 38, 39, 40, 41, 42, 44, 45, 46, 47, 48, 49, 51, 52, 60, 61, 62, 64, 66, 67 and 69 totaling 435.65 acre-feet can be changed.

Respectfully submitted,



TRACY TAYLOR, P.E.
State Engineer

TT/SJT/jm

Dated this 12th day of

June, 2007.