

AMENDED

Serial No. 48266

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

Date of filing in State Engineer's Office AUG 02 1984

Returned to applicant for correction

Corrected application filed SEP 27 1984 Map filed SEP 27 1984

The applicant Steve Cunningham and Mary Cunningham

725 Monte Vista Drive of Reno Nevada 89511

Street and No. or P.O. Box No. City or Town State and Zip Code No. hereby make application for permission to change the

Place of Use of a portion & Point of Diversion of a portion of water heretofore appropriated under Claim 75a (Lands described under Claim 220, page 30, Truckee River Decree) - United States of America v. Orr Water Ditch Company, et al.

United States District Court in and for the District of Nevada, In Equity, Docket A 3 - Final Decree

1. The source of water is Thomas Creek and waste water

2. The amount of water to be changed 1.156 miners inches - 0.0289 cfs - 2.51 acre-feet

3. The water to be used for As Decreed

4. The water heretofore permitted for As Decreed

5. The water is to be diverted at the following point NE 1/4 SE 1/4 Section 7, T18N, R20E, MDM., or at a point from which the E 1/4 corner of the said Section 7 bears N 77° 09' 28" E., a distance of 1,665 feet.

6. The existing permitted point of diversion is located within As Decreed

7. Proposed place of use 0.77 acre NE 1/4 SE 1/4 Section 7, T18N, R20E, MDM. Lot 3 Block B Amended Map Sierra Manor Subdivision Map #448, Washoe County Recorder official records.

8. Existing place of use 0.67 acre NW 1/4 SE 1/4 and 0.10 acre SW 1/4 SE 1/4 Section 6, T18N, R20E, MDM. Total - 0.77 acre. Southerly half of Parcel 1 from Parcel Map #1222, Washoe County Recorder official records.

9. Use will be from As Decreed to of each year.

10. Use was permitted from As Decreed to of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) 6 inch pipe in Thomas Creek to distribution system

12. Estimated cost of works At least \$100

13. Estimated time required to construct works 1 year

14. Estimated time required to complete the application of water to beneficial use..... 3 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Claim 220 (75A) - Thomas Creek & waste water. Acres - 123.3 Duty - 3.25 AF/Ac
Miners inches - 185 CFS - 4.63 Acre-Feet - 401. Proportion - Deeds 2.51 AF +
3.25 AF/Ac = 0.77 acre. Water under this application will be comingled with
water under Applications 48267 and 48268 on Lot 3.

By... s/Steve Cunningham
725 Monte Vista Drive
Reno, Nevada 89511

Compared... js/ jm js/bc

Protested.....

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 point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 75A, 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 also changes the point of diversion and place of use of that portion of Truckee River Claim No. 220 appurtenant to the 0.77 acres from which Claim No. 75A is being changed.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.0289cubic feet per second, but limited to 2.51 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before..... April 10, 1986

Proof of completion of work shall be filed before..... May 10, 1986

Application of water to beneficial use shall be made on or before..... April 10, 1987

Proof of the application of water to beneficial use shall be filed on or before..... May 10, 1987

Map in support of proof of beneficial use shall be filed on or before..... May 10, 1987

Completion of work filed..... IN TESTIMONY WHEREOF, I..... PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this..... 16thday of..... May.....

Cultural map filed..... A.D. 19..... 85.....

Certificate No..... Issued.....

[Handwritten Signature]
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

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The applicant Steve Cunningham and Mary Cunningham

725 Monte Vista Drive

Street and No. or P.O. Box No.

of

Reno

City or Town

Nevada 89511

State and Zip Code No.

hereby make application for permission to change the

Place of Use of a portion & Point of Diversion of a portion

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Claim 75a (Lands described under Claim 220, page 30, Truckee River Decree) - United States of America v. Orr Water Ditch Company, et al.

United States District Court in and for the District of Nevada, In Equity, Docket A 3 - Final Decree.

1. The source of water is Thomas Creek and waste water

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

2. The amount of water to be changed 1.156 miners inches - 0.0289 cfs - 2.51 acre-feet

Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for As Decreed

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for As Decreed

Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point NE 1/4 Section 7, T18N, R20E, MDM., or

Describe as being within a 40-acre subdivision of public survey and by course and

at a point from which the E 1/4 corner of the said Section 7 bears N 77°09'28" E. distance to a section corner. If on unsurveyed land, it should be stated.

a distance of 1,665 feet.

6. The existing permitted point of diversion is located within As Decreed

If point of diversion is not changed, do not answer.

7. Proposed place of use 0.77 acre NE 1/4 SE 1/4 Section 7, T18N, R20E, MDM., Lot 3 Block B

Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

Amended Map Sierra Manor Subdivision Map #448, Washoe County Recorder

official records.

8. Existing place of use 0.67 acre NW 1/4 SE 1/4 and 0.10 acre SW 1/4 SE 1/4 Section 6, T18N, R20E,

Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

MDM. Total - 0.77 acre. Southerly half of Parcel 1 from Parcel Map #1222,

manner of use of irrigation permit, describe acreage to be removed from irrigation.

Washoe County Recorder official records.

9. Use will be from As Decreed

Month and Day

to

Month and Day

of each year.

10. Use was permitted from As Decreed

Month and Day

to

Month and Day

of each year.

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.) 6 inch pipe in Thomas Creek to

State manner in which water is to be diverted, i.e. diversion structure, ditches,

distribution system

pipes and flumes, or drilled well, etc.

12. Estimated cost of works At least \$100

13. Estimated time required to construct works 1 year

- 14. Estimated time required to complete the application of water to beneficial use..... 3 years
- 15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Claim 220 (75A) - Thomas Creek & waste water. Acres - 123.3 Duty - 3.25 AF/Ac
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 3.25 AF/Ac = 0.77 acre. Water under this application will be comingled with
 water under Applications 48267 and 48268 on Lot 3.

By s/ Steve Cunningham
 725 Monte Vista Drive
 Reno, Nevada 89511

Compared 11/bm 11/bc

Protested

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 point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 75A, 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.

SEE ADJUTANT PERMIT

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0289 cubic feet per second, but limited to 2.51 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before April 10, 1986

Proof of completion of work shall be filed before May 10, 1986

Application of water to beneficial use shall be made on or before April 10, 1987

Proof of the application of water to beneficial use shall be filed on or before May 10, 1987

Map in support of proof of beneficial use shall be filed on or before May 10, 1987

Completion of work filed MAY 19 1986 IN TESTIMONY WHEREOF, I, PETER G. MORROS, State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed DEC 31 1986 my office, this 10th day of April

Cultural map filed DEC 31 1986 A.D. 1985

Certificate No. 12185 Issued JUN 21 1989

[Signature of Peter G. Morros]
 State Engineer