

# TEMPORARY

NO. 64849-T

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 FEB 12 1999

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

Corrected application filed \_\_\_\_\_

Map filed SEP 28 1995 under 61498

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The applicant **LOEB ENTERPRISES, LTD.**, hereby makes application for permission to change the **manner of use and place of use** of a portion of water heretofore appropriated under **Claim #351 and #352** of the **Final Decree in Equity Docket No. A-3, "United States of America vs. Orr Water Ditch Company, et.al."**

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1. The source of water is **Truckee River**
2. The amount of water to be changed **0.419 CFS not to exceed 138.19 acre feet annually**
3. The water to be used for **dust control, compaction, turf and plant initiation and other construction purposes.**
4. The water heretofore permitted for **as Decreed**
5. The water is to be diverted at the following point **NE¼ SW¼ Section 17, T.19N., R.19E., MDB&M** or at a point from which the Northwest corner of Section 20, T.19N., R.19E., MDB&M bears **S.44°40'W., 3211.00 feet.** (Orr Ditch and Orr Ditch Extensions)
6. The existing permitted point of diversion is located within
7. Proposed place of use **See Exhibit #1 attached.**
8. Existing place of use **See Exhibit #2 Attached.**
9. Use will be from **as Decreed to as Decreed** of each year.
10. Use was permitted from **as Decreed to as Decreed** of each year.
11. Description of proposed works **Water will be diverted from the Orr Ditch into storage ponds and distributed throughout the proposed place of use.**
12. Estimated cost of works **in excess of \$10,000.00**
13. Estimated time required to construct works **existing**
14. Estimated time required to complete the application of water to beneficial use **one year**
15. Remarks: **Water will be used for construction of the Wingfield Springs Golf Course and adjacent residential and commercial developments. See Map filed with Permit #61499-T**

By **ROBERT E. FIRTH:**  
s/Robert E. Firth  
360 East Riverview Cr.  
Reno, NV 89509

Compared dl/cms dl/cms

Protested \_\_\_\_\_

64849-T

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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 temporary permit to change the place of use and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claims 351 and 352, 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. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

A monthly report of the water diverted and placed to beneficial use must be submitted to the State Engineer and Federal Water Master on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued subject to the regulation of the irrigation season as established by the Federal Water Master.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on April 8, 2000 at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.419 cubic feet per second, but not to exceed 138.19 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Application of water to beneficial use shall be filed on or before:

Proof of the application of water to beneficial use shall be filed on or before:

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

TEMPORARY

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office,

this 9th day of April, A.D. 1999

Hugh Ricci, P.E.  
State Engineer

Hugh Ricci, P.E.  
Deputy State Engineer

EXPIRES  
DATE APR 08 2000

**EXHIBIT 1****Proposed Place of Use****Section 1, T. 20 N., R. 20 E., M.D.B.&M.**

S $\frac{1}{2}$  SW $\frac{1}{4}$  - 80.0 acres  
SW $\frac{1}{4}$  SE $\frac{1}{4}$  - 40.0 acres

**Section 12, T. 20 N., R. 20 E., M.D.B.&M.**

All - 640 acres

**Section 13, T. 20 N., R. 20 E., M.D.B.&M.**

NW $\frac{1}{4}$  NW $\frac{1}{4}$  - 40.0 acres  
NE $\frac{1}{4}$  NW $\frac{1}{4}$  - 40.0 acres  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  - 41.94 acres  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  - 39.21 acres  
NW $\frac{1}{4}$  SW $\frac{1}{4}$  - 5.27 acres  
NE $\frac{1}{4}$  SW $\frac{1}{4}$  - 7.19 acres  
NW $\frac{1}{4}$  NE $\frac{1}{4}$  - 40.0 acres  
NE $\frac{1}{4}$  NE $\frac{1}{4}$  - 34.81 acres  
SW $\frac{1}{4}$  NE $\frac{1}{4}$  - 15.41 acres  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  - 6.32 acres

**Section 14, T. 20 N., R. 20 E., M.D.B.&M.**

NW $\frac{1}{4}$  SW $\frac{1}{4}$  - 7.46 acres  
SW $\frac{1}{4}$  SW $\frac{1}{4}$  - 1.27 acres  
NE $\frac{1}{4}$  NW $\frac{1}{4}$  - 7.56 acres  
SE $\frac{1}{4}$  NW $\frac{1}{4}$  - 4.54 acres  
SW $\frac{1}{4}$  NW $\frac{1}{4}$  - 7.31 acres  
NW $\frac{1}{4}$  NE $\frac{1}{4}$  - 8.59 acres  
NE $\frac{1}{4}$  NE $\frac{1}{4}$  - 3.08 acres

**Section 15, T. 20 N., R. 20 E., M.D.B.&M.**

NE $\frac{1}{4}$  SE $\frac{1}{4}$  - 0.58 acres  
SE $\frac{1}{4}$  SE $\frac{1}{4}$  - 4.12 acres

**Section 22, T. 20 N., R. 20 E., M.D.B.&M.**

NE $\frac{1}{4}$  NE $\frac{1}{4}$  - 3.85 acres  
SE $\frac{1}{4}$  NE $\frac{1}{4}$  - 3.77 acres

**Exhibit 2**

42.52 acres within:

SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 1, T. 20 N. R. 20 E., M.D.B.&M.	-	6.4277 acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 12, T. 20 N. R. 20 E., M.D.B.&M.	-	1.4 acres
NE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 12, T. 20 N. R. 20 E., M.D.B.&M.	-	3.9 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$	Section 12, T. 20 N. R. 20 E., M.D.B.&M.	-	41.3 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$	Section 12, T. 20 N. R. 20 E., M.D.B.&M.	-	20.0 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	Section 12, T. 20 N. R. 20 E., M.D.B.&M.	-	23.4 acres