ASSIGNED

Serial No. 55010

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 JUN 27 1990

Returned to applicant for correction AUG 15 1990

Corrected application filed _____ Map filed JUN 27 1990 under 55002

The applicant Westpac Utilities, a Division of Sierra Pacific Power Company

P.O. Box 30028 (Street and No. or P.O. Box No.) of Reno (City or Town)

Nevada 89520 (State and Zip Code No.) hereby makes application for permission to change the

Point of Diversion, Manner of Use and Place of Use. (Point of diversion, manner of use, and/or place of use)

of water heretofore appropriated under a portion of Claim #638 of the Truckee River Decree, (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.) said Decree entered by the District Court of the United States for Nevada in that certain action entitled, "The United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants", in Equity Docket A-3.

1. The source of water is Truckee River (Name of stream, lake, underground spring or other source.)
2. The amount of water to be changed 7.504 miners inches (0.1876 c.f.s.) not to exceed 21.13 acre feet. (Second feet, acre feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for Municipal and Domestic (Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.)
4. The water heretofore permitted for Irrigation (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 situate in the Southwest one-quarter of the Northeast one-quarter (SW¼ NE¼) of Section 7, T.19., R.20E., M.D.B.&M., from said point the Northeast corner of said Section 7 bears N 39° 28' 00"E, 3,015.00 feet. (North Truckee Ditch - Glendale Treatment Plant). (Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.)
6. The existing permitted point of diversion is located within the Northwest one-quarter of the Southwest one-quarter of Section 9, T.20N., R.24E., M.D.B.&M., from which point the Southwest corner of said Section 9 bears S 04°12'09" W, 1,970 feet (Pierson Ditch). (If point of diversion is not changed, do not answer.)
7. Proposed place of use The certificated water service area of Sierra Pacific Power Company as described in the legal description and shown on the supporting map on file with the State Engineer's Office - Division of Water Resources. (Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.)
8. Existing place of use a portion of the 7.8 acres irrigated in the NE¼ SW¼ of Section 3, T.20N., R.24E., M.D.B.&M. (Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
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.) Water will be diverted at existing company facility, treated and placed into the existing distribution system. (State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes, or drilled well, etc.)
12. Estimated cost of works Sierra has invested in excess of $50 million in its Water Treatment Transmission and Distribution System.
13. Estimated time required to construct works Completed

14. Estimated time required to complete the application of water to beneficial use one year

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

During 1989, Sierra had an average of 52,200 non-duplicate customers and delivered approximately 61,050 acre feet of water. Maximum day delivery was 109.9 million gallons (337.27 acre feet). These water rights have been committed for service and a "Will Serve" letter has been issued.

By William K. Jewett, Agent
s/William K. Jewett
P.O. Box 30028
Reno, NV 89520

Compared bc/am am/se

Protested 11/27/90 by: Truckee Carson Irrigation District
Pro. Overruled 3/9/92
See Ruling #3875

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, place and manner of use of a portion of the waters of the Truckee River as heretofore granted under Claim 638, 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 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 subject to Ruling No. 3875, dated March 9, 1992 and specifically subject to the continuing jurisdiction and regulation of the Federal Water Master.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.1876 cubic feet per second, and not to exceed 21.13 acre-feet per season as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before April 16, 1994

Proof of completion of work shall be filed before May 16, 1994

Application of water to beneficial use shall be made on or before April 16, 2002

Proof of the application of water to beneficial use shall be filed on or before May 16, 2002

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed 5-25-94

Proof of beneficial use filed 5-02-02

Cultural map filed

Certificate No. 16515 Issued 5-11-05

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 16th day of April, A.D. 19 92

State Engineer

(O)-1108 (Rev. 6-81)