

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 APR 24 1991
Returned to applicant for correction NOV 26 1991
Corrected application filed MAR 13 1992 Map filed MAR 13 1992

The applicant TOWN OF FERNLEY
P.O. Box 1624 of Fernley
Street and No. or P.O. Box No. City or Town
Nevada, 89408 hereby make ^S application for permission to change the
State and Zip Code No.

Manner of Use and Place of Use of a portion
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Truckee-Carson Irrigation District No. (See Attachment
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
A) United States of America v. Orr Water Ditch Co., in Equity No. A.3 Claim
identify right in Decree.
No. 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 282.26 acre feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for municipal
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 the N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 19, T20N, R23E, M.D.B.&M.
Describe as being within a 40-acre subdivision of public survey and by course and
(Truckee River at Derby Dam)
distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within the N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 19, T20N, R23E,
If point of diversion is not changed, do not answer.
M. D. B. & M. (Truckee River at Derby Dam)

7. Proposed place of use See Attachment B
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use See Attachment C
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 January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from as decreed to _____ of each year.
Month and Day Month and Day

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.) Conventional surface water treatment facility
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 \$1,500,000.00

13. Estimated time required to construct works 5 years

14. Estimated time required to complete the application of water to beneficial use 10 years

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

The surface water will be diverted to a treatment facility meeting the requirements of the U.S. E.P.A. Surface Water Treatment Rule. The finished water will be blended with groundwater producing a product meeting the Safe Drinking Water Act.

By s/George W. Ball, Jr.
George W. Ball, Jr., Cert. 409
730 Tahoe Street
Reno, Nevada 89509

Compared bc/bc ab/vw

Protested 3/13/92 by; Bureau of Reclamation: 6/1/92 by; The Pyramid Lake Paiute Tribe of Indians:
Pro. overruled 5-27-94;
Ruling No. 4116

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 the waters of the Truckee River as set forth under the Newlands Reclamation Project rights in the 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.

The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada in pending litigation.

The Applicant is required to continue to pay the Operation and Maintenance Assessments to TCID.

This permit is amended pursuant to State Engineer's Ruling on Remand No. 4116A dated April 20, 2006 and is limited to 207.67 acre-feet annually.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 207.67 ~~cubic feet per second~~ acre-feet per year.

Work must be prosecuted with reasonable diligence and be completed on or before June 23, 1996
Proof of completion of work shall be filed before July 23, 1996
Application of water to beneficial use shall be made on or before June 23, 1999
Proof of the application of water to beneficial use shall be filed on or before July 23, 1999
Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed _____
Proof of beneficial use filed _____
Cultural map filed _____
Certificate No. _____ Issued _____

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,
State Engineer of Nevada, have hereunto set
my hand and the seal of my office,
this 20th day of April, A.D. 2006.

Hugh Ricci, P.E.
State Engineer

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8. Existing place of use See Attachment C
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manner of use of irrigation permit, describe acreage to be removed from irrigation.

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The duty under this permit is further conditioned upon possible modification by the United States District Court of Nevada in pending litigation.

The Applicant is required to continue to pay the Operation and Maintenance Assessments to TCID.

This permit is issued subject to the State Engineer's Ruling No. 4116 dated May 27, 1994.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 280.78 ~~cubic feet per second~~ acre-feet per year.

Work must be prosecuted with reasonable diligence and be completed on or before June 23, 1996

Proof of completion of work shall be filed before July 23, 1996

Application of water to beneficial use shall be made on or before June 23, 1999

Proof of the application of water to beneficial use shall be filed on or before July 23, 1999

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

Completion of work filed.....

Proof of beneficial use filed.....

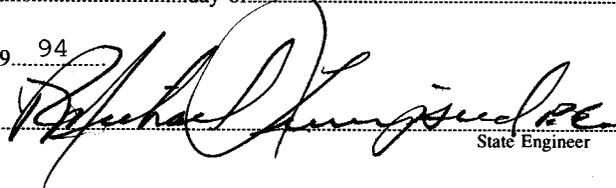
Cultural map filed.....

Certificate No. Issued.....

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 23rd day of June,

A.D. 19 94


State Engineer

ATTACHMENT A

REFERENCE NUMBER	TCID SERIAL NUMBER
1	1045-A-18, 21-23, 25, 34-38, 40, 42-47, 49
2	1030-8-B-4
3	1052-L-1
4	1025-5-A, 1025-5-A-1
5	1030-6
6	1015-39
7	1054-1-I-1
8	1022-2-C
9	1024-A-66
10	1045-A-24
11	1054-1-A-1
12	1054-1-K
13	INTENTIONALLY BLANK
14	1054-1-J-1
15	1031-1-B-2-D
16	1024-9
17	1026-A-35
18	1030-6
19	1022-2-C-1
20	1057-10
21	1031-1-B-2-E
22	1014-1-H-1 1014-1-H

ATTACHMENT A (continued)

REFERENCE NUMBER

TCID SERIAL NUMBER

23	1028-1-0
24	1054-1-A-3
25	1014-7
26	1026-B-1, 2, 3-99, 1026-B (Roads)
27	1051-1
28	1053-A-1, 2, 3-14 1053-B-1, 2, 3-11 1053-D-1, 2, 3-14 1053-E-1, 2, 3-16 1053-F1, 2, 3 1053-A (Roads)

7. Proposed Place of Use**T20N, R24E, M.D.B. & M.**

Portion Sections 9 and 10, Sections 11, 12, 13, 14 and 15, Portion Sections 16, 17 and 20, Sections 21, 22, 23, 24, 25, 26, 27 and 28, Portion Sections 29, 30 and 31, Sections 32, 33, 34, 35 and 36.

T20N, R25E, M.D.B. & M.

Sections 1, 2 and 3, Portion Sections 4 and 5, Sections 7 through 36.

T20N, R26E, M.D.B. & M.

Portion Section 5, Sections 6 and 7, Portion of Section 8 and 17, Sections 18 and 19, Portion Section 20 and 29, Sections 30 and 31, Portion Section 32.

T21N, R25E, M.D.B. & M.

Portion Sections 13, 23 and 24, Section 25, Portion Section 26, 27, 28 and 33, Sections 34, 35 and 36.

T21N, R26E, M.D.B. & M.

Portion Sections 5, 7 and 8, Section 17, Portion Section 18, Section 19, 20, 29, 30, 31 and 32.

T22N, R26E, M.D.B. & M.

Portion of Sections 28, 32 and 33.

T19N, R25E, M.D.B. & M.

All Sections 1 through 36

T19N, R24E, M.D.B. & M.

Sections 1, 2, 3, 4, and 5, Portion Section 6, Sections 7 through 36.

T19N, R23E, M.D.B. & M.

Portion Sections 1, 12, 13, 14 and 23, Sections 24 and 25, Portion Sections 26, 27 and 34, Sections 35 and 36.

ATTACHMENT C

8. Existing Place of Use

REF. NO.	SECTION	TOWNSHIP	RANGE	SUBDIVISION	EXIST ACRE OF USE
1	24	20 N.	24 E.	Por. NE 1/4 SE 1/4	3.3697
2	14	20 N.	24 E.	Por. NE 1/4 NE 1/4	.16
3	19	20 N.	25 E.	Por. NW 1/4 NE 1/4	.2489
4	13	20 N.	24 E.	Por. SE 1/4 NW 1/4	3.2355
5	14	20 N.	24 E.	Por. SE 1/4 NE 1/4	2.12
6	12	20 N.	24 E.	Por. NE 1/4 SE 1/4	.294
				Por. SE 1/4 SE 1/4	.036
7	19	20 N.	25 E.	Por. NE 1/4 NE 1/4	.2489
8	13	20 N.	24 E.	Por. NE 1/4 SE 1/4	.2489
9	13	20 N.	24 E.	Por. NW 1/4 NE 1/4	.1377
10	24	20 N.	24 E.	Por. NE 1/4 SE 1/4	.19
11	19	20 N.	25 E.	Por. NE 1/4 NE 1/4	.2489
12	19	20 N.	25 E.	Por. SE 1/4 NE 1/4	.2489
13	INTENTIONALLY BLANK				
14	19	20 N.	25 E.	Por. NE 1/4 NE 1/4	.25
15	14	20 N.	24 E.	Por. NW 1/4 NE 1/4	.16
16	13	20 N.	24 E.	Por. NW 1/4 NE 1/4	.2489
17	13	20 N.	24 E.	Por. NW 1/4 SW 1/4	.16
18	14	20 N.	24 E.	Por. SE 1/4 NE 1/4	3.08
19	13	20 N.	24 E.	Por. NE 1/4 SE 1/4	.2489
20	19	20 N.	25 E.	Por. SE 1/4 SW 1/4	.2489

ATTACHMENT C (Continued)

8. Existing Place of Use

REF. NO.	SECTION	TOWNSHIP	RANGE	SUBDIVISION	EXIST ACRE OF USE
21	14	20 N.	24 E.	Por. NW 1/4 NE 1/4	.17
22	12	20 N.	24 E.	Por. SE 1/4 SW 1/4	.9956
23	13	20 N.	24 E.	Por. NW 1/4 NW 1/4	.44
24	19	20 N.	25 E.	Por. NE 1/4 NE 1/4	.2489
25	12	20 N.	24 E.	Por. NE 1/4 SW 1/4	1.54
26	13	20 N.	24 E.	Por. NW 1/4 SW 1/4	6.30
				Por. NE 1/4 SW 1/4	18.84
27	18	20 N.	25 E.	Por. SW 1/4 SW 1/4	.2489
28	19	20 N.	25 E.	Por. SW 1/4 NE 1/4	.649
				Por. NW 1/4 SE 1/4	18.11