

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 16 1995

Returned to applicant for correction.....

Corrected application filed..... Map filed FEB 16 1995 existing proposed P.O.D.'s filed 3 Sep 93 under 58882

The applicant Sierra Pacific Resources by and through Sierra Pacific Power Company

P.O. Box 10100 of Reno
Street and No. or P.O. Box No. City or Town

Nevada, 89520-0400 hereby makes application for permission to change the
State and Zip Code No.

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 Nos. 485 and 489 of the Truckee River
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.
Decree, said Decree entered by the District Court of the United States for Nevada

in that certain action entitled The United States of America, vs. Orr Water Ditch Company, et al. Defendants, in Equity Docket A-3.

1. The source of water is the Truckee River
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.502 c.f.s. not to exceed 53.50 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 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 points of diversion of Sierra's existing water treatment plants as described in attached EXHIBIT "A" and shown on the map supporting distance to a section corner. If on unsurveyed land, it should be stated.
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.
Application No. 58882 on file with the Division of Water Resources, State of Nevada.

6. The existing permitted point of diversion is located within the Northwest one-quarter of the Southeast one-quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) of Section 11, T.19N., R.19E., M.D.B.&M. From said point the Southwest corner of said Section 11 bears South 69°15' West, a distance of 3640.0 feet (Cochran 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 designated by the Nevada Public Service Commission, as described in the legal description and shown on the map on file with the State Engineer's Office, Division of Water Resources and which may be amended from time to time.
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use 3.375 acres lying and being in the Northeast one-quarter of Section 29, T.19N., R.20E., 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 to as Decreed of each year.
Month and Day Month and Day

10. Use was permitted from as Decreed to as Decreed 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.) Water will be diverted by existing company facilities, 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 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 1994, Sierra served an average of 59,223 non-duplicate customers and delivered approximately 64,505 acre feet of water. This application seeks to change the Point of Diversion, Manner of Use and Place of Use of 53.50 acre feet to be used in conjunction with 100 acre feet of water from Permit No. 53369 to provide a will serve commitment and water service outside of the Truckee River Basin. Section 25 of the Preliminary Settlement Agreement, as ratified by the United States, provides: "Sierra may utilize

Comparedsm/ gkl cl/cmg
cl/cmg
Protested.....

By William K. Jewett, Agent
s/ William K. Jewett
P.O. Box 30028
Reno, NV 89520-3028

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 Claims 485 and 489, 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.

The amount of water available for a demand commitment under this permit is limited to 19 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 0.334 cubic feet per second but not to exceed 53.50 acre-feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before January 22, 1997

Proof of completion of work shall be filed before February 22, 1997

Application of water to beneficial use shall be made on or before January 22, 2005

Proof of the application of water to beneficial use shall be filed on or before February 22, 2005

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

Completion of work filed MAR 12 1997

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 22nd day of January,

A.D. 19 96

[Signature]
State Engineer