Permit No. 61893

THE STATE OF NEVADA
PERMIT TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant:	**TOWN OF FERNLEY**
Source:	**TRUCKEE RIVER**
Basin:	**TRACY SEGMENT**
Manner of Use:	**MUNICIPAL**
Period of Use:	**As Decreed**
Priority Date:	**07/02/1902**

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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 permit, to change the place and manner of use of a portion of the waters of the Truckee River as set forth under the Claim Number 3 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

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 expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due in the same manner as if the water were still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (b).

The point of diversion and place of use is as described under items 5 and 7 respectively on the submitted application to support this 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 435.65 acre-feet as decreed.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:	**August 31, 2009**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:	**August 31, 2017**
Map in support of proof of beneficial use shall be filed on or before:	**N/A**

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 31st day of **August**, A.D. **2007**

Jason K. P.E.
for State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

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2nd AMENDED

NO.61893

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 08 1996

Returned to applicant for correction _____

Corrected application filed _____

Map filed _____ JULY 16 1996

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The applicant **Town of Fernley**, hereby makes application for permission to change the **Manner of Use and Place of Use of a portion** of water heretofore appropriated under **Truckee-Carson Irrigation District No. (see Attachment A) United States of America vs. Orr Water Ditch Co., in Equity No. A.3, Claim No. 3.**

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1. The source of water is **Truckee River**

2. The amount of water to be changed **532.4995 acre-feet**

3. The water to be used for **municipal**

4. The water heretofore permitted for **as decreed**

5. The water is to be diverted at the following point **N 1/2 SW 1/4 Section 19, T20N, R23E, M.D.B.&M. (Truckee River at Derby Dam)**

6. The existing permitted point of diversion is located within **N 1/2 SW 1/4, Section 19, T20N, R23E, M.D.M.&M. (Truckee River at Derby Dam)**

7. Proposed place of use **See Attachment B**

8. Existing place of use **See Attachment C**

9. Use will be from **January 1** to **December 31** of each year.

10. Use was permitted from **as decreed** to of each year.

11. Description of proposed works **conventional surface water treatment facility**

12. Estimated cost of works **$5,500,000.00**

13. Estimated time required to construct works **five years**

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

15. Remarks: **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.,
P.E.,Cert.409
730 Tahoe Street
Reno, Nevada 89509

Compared **By lew/** gkl

Protested 10/17/96 by; Pyramid Lake Paiute Tribe: 10/18/96 by; Bureau of Reclamation
Protest Overruled in part See Ruling #5744

FORFEITED
a portion
RULING NO. 5744
DATE 5/31/07

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Attachment A

Reference No.	TCID Serial No.
1	1014-6
2	1024-A-10
3	1024-A-19
4	1024-A-87
5	1026-A-40
6	1052-A-2
7	1046
8	1021-1-A
9	1057-3-B
10	1031-3
11	1056-11
12	1026-A-8
13	1012-1-D
14	1014-1-M
15	1019-H
16	1031-1-E
17	1019-F-F-F
18	1028-3-2
19	1056-9
20	1014-1-F-1
21	1028-1-B
22	1054-1-M
23	1015-9
24	1024-A-97
25	1054-1-I-2
26	1008-4-A-2-A
27	1025-7-A
28	1031-D-1
29	1056-2
30	1040-17-A
31	1056-1-A
32	1012-3-H
33	1020-4
34	1031-1-L
35	1021-1-C-1
36	1021-1-C
37	1045-58
38	1056-11-B
39	1031-3-A
40	1045-73
41	1026-A-56-K

Reference No.	TCID Serial No.
42	1015-37
43	1057-6
44	1024-B-18
45	1046-3
46	1010
47	1005-14
48	1045-17
49	1057-3
50	Intentionally Blank
51	1028-1-N-H
52	1028-3-A-33
53	1042
54	1052-H-1
55	Intentionally Blank
56	1021-1-H
57	1021-1-J
58	1031-5-A
59	1031-5
60	1024-A-52
61	1045
62	1014-1-B-4
63	1001-B
64	1024-B-26
65	1022
66	1003
67	1024-A-12
68	1029-4
69	1000-A-1
70	1053
71	1031-13-A
72	1057-15
73	1034-8-A
74	1008-4-A
75	Intentionally Blank
76	1054-1-I-3
77	1046-3-1
78	1034-6

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Attachment C

Ref. No.	Section	Township	Range	Subdivision	Existing Acre of Use
1	12	20N	24E	Por. NE¼SW¼	.9956
2	13	20N	24E	Por. NW¼NE¼	.2
3	13	20N	24E	Por. SW¼NE¼	.21
4	13	20N	24E	Por. SW¼NE¼	.21
5	13	20N	24E	Por. NW¼SW¼	.16
6	19	20N	25E	Por. SW¼NE¼	.2489
7	24	20N	24E	Por. NE¼NE¼	.2489
8	13	20N	24E	Por. NE¼SE¼	.2489
9	19	20N	25E	Por. NW¼SW¼	.2489
10	14	20N	24E	Por. SW¼NE¼	.2489
11	19	20N	25E	Por. SE¼NW¼	.2489
12	13	20N	24E	Por. NW¼SW¼	.16
13	12	20N	24E	Por. SW¼SE¼	.2489
14	12	20N	24E	Por. NE¼SW¼	.2489
15	13	20N	24E	Por. SE¼NE¼	.2
16	14	20N	24E	Por. SW¼NE¼	.2489
17	13	20N	24E	Por. SE¼NE¼	.16
18	13	20N	24E	Por. SW¼NW¼	.16
19	19	20N	25E	Por. SE¼NW¼	3.11
20	12	20N	24E	Por. SE¼SW¼	.2489
21	13	20N	24E	Por. SW¼NW¼	.33
22	19	20N	25E	Por. SE¼NE¼	.2489
23	12	20N	24E	Por. SE¼SE¼	.34
24	13	20N	24E	Por. SW¼NE¼	.18
25	19	20N	25E	Por. NE¼NE¼	.2489
26	11	20N	24E	Por. SE¼SW¼	9.43
27	13	20N	24E	Por. SE¼NW¼	1.36
28	14	20N	24E	Por. SW¼NE¼	.2489
29	19	20N	25E	Por. SE¼NW¼	.2489
30	15	20N	24E	Por. NE¼NE¼	.6
31	19	20N	25E	Por. SW¼NW¼	4.7
32	12	20N	24E	Por. NW¼SE¼	.2489
33	13	20N	24E	Por. NE¼NE¼	.746
34	14	20N	24E	Por. NW¼NE¼	.19
35	13	20N	24E	Por. NE¼SE¼	.2489
36	13	20N	24E	Por. NE¼SE¼	.2489
37	24	20N	24E	Por. NW¼SE¼	.25
38	19	20N	25E	Por. SE¼NW¼	.497
39	14	20N	24E	Por. SW¼NE¼	.2489
40	24	20N	24E	Por. NW¼SE¼	.21

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Ref. No.	Section	Township	Range	Subdivision	Existing Acre of Use
41	13	20N	24E	Por. NW¼SW¼	.16
42	12	20N	24E	Por. NE¼SE¼	.11
43	19	20N	25E	Por. NW¼SW¼	.2489
44	13	20N	24E	Por. SW¼NE¼	.22
45	24	20N	24E	Por. SE¼NE¼	~~1.99~~ 1.53
				SW¼NE¼	0.46
46	12	20N	24E	Por. SE¼SE¼	20.5
47	10	20N	24E	Por. NW¼SE¼	1.0
48	24	20N	24E	Por. NE¼SE¼	.17
49	19	20N	25E	Por. NW¼SW¼	.24
50		INTENTIONALLY BLANK			
51	13	20N	24E	Por. SW¼NW¼	.27
52	13	20N	24E	Por. SW¼NW¼	.16
53	24	20N	24E	Por. NE¼NW¼	.2489
54	19	20N	25E	Por. NW¼NE¼	.2489
55		INTENTIONALLY BLANK			
56	13	20N	24E	Por. NE¼SE¼	.4
57	13	20N	24E	Por. NE¼SE¼	.6
58	14	20N	24E	Por. SW¼NE¼	.5
59	14	20N	24E	Por. SW¼NE¼	.1
60	13	20N	24E	Por. NW¼NE¼	.21
61	24	20N	24E	Por. SE¼	~~33.695~~ 31.79
62	12	20N	24E	Por. SE¼SW¼	.1
63	10	20N	24E	Por. SE¼SE¼	.3
64	13	20N	24E	Por. SW¼NE¼	.21
65	13	20N	24E	Por. NE¼SE¼	2.8
66	10	20N	24E	Por. NE¼SE¼;	6.53
				SE¼NE¼	.96
67	13	20N	24E	Por. SW¼NE¼	.18
68	14	20N	24E	Por. SE¼SW¼	.2489
69	10	20N	24E	Por. SE¼NE¼;	2.63
				SW¼NE¼	2.35
70	19	20N	25E	Por. NE¼SE¼	2.961
71	14	20N	24E	Por. SW¼NE¼	1.1
72	19	20N	25E	Por. SE¼SW¼	.2489
73	14	20N	24E	Por. SW¼SW¼	.2489
74	11	20N	24E	Por. SE¼SW¼	6.68
75		INTENTIONALLY BLANK			
76	19	20N	25E	Por. NE¼NE¼	.2489
77	24	20N	24E	Por. SW¼NE¼	2.24
78	14	20N	24E	Por. SE¼SW¼	.2489

NW¼ SE¼ = 3.78
SW¼ SE¼ = 1.00
SE¼ SE¼ = 15.0
NE¼ SE¼ = 12.0
31.

Attachment B

Proposed Place of Use

T20N, R24E, M.D.B.&M.

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

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

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

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

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

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

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

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

Portion of Sections 5, 7 and 8, Section 17; Portion of Section 18, Sections 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 of Sections 1 through 36.

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

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

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

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