

**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 11 1997
 Returned to applicant for correction MAR 04 1997
 Corrected application filed APR 28 1997
 Map filed MAR 26 1997 under 62879

The applicant City of Reno, City of Sparks, Washoe County, and Sierra Pacific Power Co., by and through Sierra Pacific Power Company, hereby makes application for permission to change the Point of Diversion, Manner of Use and Place of Use of a portion of water heretofore appropriated under Claim Nos. 55, 67, 76/76a, 77, 78, 79, 81/82, 86 and 88/88a of the Truckee River 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 the Truckee River
2. The amount of water to be changed 1.294 c.f.s, not to exceed 265.17 acre feet
3. The water to be used for Municipal and Domestic
4. The water heretofore permitted for as Decreed
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 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 NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, T.19N., R.18E., MDB&M at a point from which the SE corner of Section 31, bears South 62° 04' East, a distance of 3,195.0 feet (Steamboat Canal)
7. Proposed place of use See attached Exhibit "B" and shown on the map supporting Application 62141 on file with the Division of Water Resources, State of Nevada.
8. Existing place of use See attached "Orr Ditch Decree Claim Transfer Table" and Exhibit "C"
9. Use will be from as Decreed to of each year.
10. Use was permitted from as Decreed to of each year.
11. Description of proposed works Water will be diverted by existing S.P.P.Co. facilities, treated and placed into the existing distribution system.
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

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15. Remarks: During 1996, Sierra served an average of 63,871 non-duplicate customers and delivered approximately 22197.412 mga or 68,121.64 acre feet of water. Maximum day (7/21/96) delivery was 116.7 million gallons (358.14 acre feet). This application is transferring 206.55 acre feet for the City of Reno, 19.88 acre feet for the City of Sparks, 12.57 acre feet for Washoe County, 26.17 acre feet for Sierra Pacific Power Company, pursuant to the chains of title.

By William K. Jewett, Agent
s/William K. Jewett
P. O. Box 10100
Reno, NV 89520-0400

Compared my/bk ll/gkl

Protested _____

WITHDRAWN BY APPLICANT JAN 12 2007

FOR B.2600

Tom Taylor STATE ENGINEER

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, manner of use and place of use of a portion of the waters of the Truckee River as heretofore granted under Claims 55, 67, 76\76A, 77, 78, 86 and 88/88A, 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 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.

(Continued on Page 3)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.7855 cubic feet per second, **but not to exceed 163.81 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before:

April 26 , 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 26 day of April, A.D. 2007

Tracy Taylor, P.E.
State Engineer

Completion of work filed March 12, 1997 under 60929

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____

EXHIBIT "A"

The following describes the multiple points of diversion for Sierra Pacific Power Company Water Treatment Plants, which are shown on the map accompanying Application No. 58882 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situated within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situated within the Southwest one-quarter of the Southeast one-quarter (SW1/4 SE1/4) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situated within the Southeast one-quarter of the Southeast one-quarter (SE1/4 SE1/4) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situated within the Southwest one-quarter of the Northeast one-quarter (SW1/4 NE1/4) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situated within the Northeast one-quarter of the Southeast one-quarter (NE1/4 SE1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situated within the Northeast one-quarter of the Southwest one-quarter (NE1/4 SW1/4) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.

EXHIBIT "B"

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DIVISION	PROPOSED PLACE OF USE		R-E
	SECTION	T-N	
ALL	1-5	18	18
E½	6&7	18	18
ALL	8-17	18	18
E½	18&19	18	18
ALL	20-29	18	18
E½	30&31	18	18
ALL	32-36	18	18
ALL	1-5	19	18
E½	6&7	19	18
ALL	8-17	19	18
E½	18&19	19	18
ALL	20-29	19	18
E½	30&31	19	18
ALL	32-36	19	18
ALL	1-5	20	18
E½	6&7	20	18
ALL	8-17	20	18
E½	18&19	20	18
ALL	20-29	20	18
E½	30&31	20	18
ALL	32-36	20	18
ALL	1-5	21	18
E½	6&7	21	18
ALL	8-17	21	18
E½	18&19	21	18
ALL	20-29	21	18
E½	30&31	21	18
ALL	32-36	21	18
ALL	1-36	18	19
ALL	1-36	19	19
ALL	1-36	20	19
ALL	1-36	21	19
ALL	2-35	18	20
W½	36	18	20
ALL	1-12	19	20
ALL	14-23	19	20
ALL	26-35	19	20
ALL	1-36	20	20
ALL	1-36	21	20
ALL	1-36	20	21
ALL	1-36	21	21

ORR DITCH DECREE CLAIM TRANSFER TABLE

CLAIM NUMBER	SEC.	TWP	RNG	DIVISION	TOTAL AVAILABLE		SPPCo		NEW TRANSFERS		BALANCE REMAINING (not in SPPCo ownership) ACRES A.F.	
					ACRES	A.F.	PREV. TRANS.	A.F.	ACRES	A.F.		
55	21	19	19	NWNE	14.0	56.0	0	0	4.125	16.49	9.875	39.51
55	16	19	19	SESE	3.0	12.0	0	0	0.47	1.88	2.53	10.12
67	2	18	19	NENE	35.7	142.8	0	0	0.01	.04	35.69	142.76
67	2	18	19	NWNE	38.6	154.4	0	0	1.77	7.07	36.83	147.33
67	2	18	19	NWSE	29.7	118.8	0	0	0.725	2.9	28.975	115.9
76/76a	7	18	20	SWSW	32.3	129.2	0	0	0.23	.93	32.07	128.27
77	18	18	20	SESW	6.1	24.4	0	0	0.23	.93	5.87	23.47
78	18	18	20	SWNW	10.3	41.2	0	0	2.425	9.7	7.875	31.5
79	7	18	20	SWSE	40.0	160.0	0	0	0.25	0.15	39.75	159.85
79	7	18	20	SESE	19.9	79.6	0	0	7.97	17.54	11.93	62.06
79	7	18	20	NESE	10.5	42.0	0	0	0.89	2.53	9.61	39.47
81/82	17	18	20	NWSW	31.8	135.15	8.49	36.08	12.49	53.09	10.82	45.98
81/82	17	18	20	SWSW	24.4	103.7	0	0	5.77	24.52	18.63	79.18
86	20	18	20	NWNW	29.1	116.4	23.02	92.08	1.05	4.2	5.03	20.12
86	20	18	20	NENW	28.9	115.6	12.89	51.56	4.45	17.81	11.56	46.23
86	20	18	20	SENW	12.8	51.2	4.84	19.36	3.295	13.19	4.665	18.65
88/88a	20	18	20	SWNE	27.2	108.8	0	0	23.05	92.2	4.15	16.6

The areas to be removed from Decreed use for portions of Claims Nos. 67, 76/76a, 78 & 86 are as follows and shown on Sheet 3 of the supporting map under Application 62853:

A portion of Claim No. 67

NW1/4NE1/4 Section 2, T.18 N., R.19 E., MDM
APN 41-110-41 - all 1.77 acres

NE1/4NE1/4 Section 2, T.18 N., R.19 E., MDM
APN 41-110-41 - the westerly 0.01 acres

NW1/4SE1/4 Section 2, T.18 N., R.19 E., MDM
APN 41-252-04 - the southerly 0.725 acres

A portion of Claim No. 76/76a

SW1/4SW1/4 Section 7, T.18 N., R.20 E., MDM
APN 44-283-02 - the southerly 0.23 acres

A portion of Claim No. 78

SW1/4NW1/4 Section 18, T.18 N., R.20 E., MDM
APN 44-020-03 - the southerly 2.425 acres

A portion of Claim No. 86

NW1/4NW1/4 Section 20, T.18 N., R.20 E., MDM - **0.29 acres***
and APN 49-351-03 - the southerly 0.76 acres

NE1/4NW1/4 Section 20, T.18 N., R.20 E., MDM- **0.89 acres***
and APN 49-351-09 - the southerly 0.54 acres
APN 49-351-12 & APN 49-351-13 - the remaining 0.92 acres
APN 49-355-08 - the remaining 1.0 acres*
APN 49-355-09 - the remaining 0.86 acres*
APN 49-357-02 - the southerly 0.24 acres

SE1/4NW1/4 Section 20, T.18 N., R.20 E., MDM
APN 49-353-11 - the remaining 0.31 acres*
APN 49-356-03 - the southerly 0.485 acres
APN 49-356-08, APN 49-356-09 & APN 49-356-10 - the remaining 2.5 acres

*** The 3.35 total acres shown above were acquired by Sierra Pacific Power Company as a part of the deed from the Roman Catholic Bishop of Reno, a Corporation, that recorded in the Washoe County Recorder's Office on 6/5/81. This acreage was not previously abrogated by Application to Change 46359.**

For portions of Claim Nos. 77, 79 and 81/82, use Truckee River Appurtenances Maps on file at the Division of Water Resources to support the areas to be removed from decreed use, as follows:

A portion of Claim No. 77 - Drawing No. TR - 005

SE1/4SW1/4 Section 18, T.18 N., R.20 E., MDM
APN 44-211-03 - the remaining 0.23 acres

A portion of Claim No. 79 - Drawing No. TR - 004

SW1/4SE1/4 Section 7, T.18 N., R.20 E., MDM
APN 44-363-13 - all 0.25 acres

SE1/4SE1/4 Section 7, T.18 N., R.20 E., MDM
APN 44-363-13 - all 0.80 acres
APN 44-363-14 - all 1.49 acres
APN 44-372-09 - all 1.74 acres
APN 44-372-16 - all 1.63 acres
APN 44-372-20 - all 0.56 acres
APN 44-372-21 - all 1.75 acres

NE1/4SE1/4 Section 7, T.18 N., R.20 E., MDM
APN 44-372-20 - all 0.89 acres

A portion of Claim No. 81/82 - Drawing No. TR - 017

SW1/4SW1/4 Section 17, T.18 N., R.20 E., MDM
Parcel 2 - the remaining 1.87 acres
Parcel 6 - the remaining 3.90 acres

NW1/4SW1/4 Section 17, T.18 N., R.20 E., MDM
Parcel 1 - the remaining 0.23 acres
Parcel 3 - the remaining 4.16 acres (4.14 ac. in Claim 82 and 0.02 ac. in Claim 81)
Parcel 4 - the 8.10 acres remaining in Claim 82