

TEMPORARY
AMENDED

NO. 69079-T

**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 AUG 15 2002
Returned to applicant for correction SEP 12 2002
Corrected application filed SEP 19 2002
Map filed SEP 19 2002

The applicant **CITY OF FERNLEY (formerly TOWN OF FERNLEY)**, hereby makes application for permission to change the **Place of Use and Manner of Use of a Portion** of water heretofore appropriated under **United States of America v. Orr Water Ditch Co. in Equity No. A.3, Claim No. 3 (Permit 53894)**

1. The source of water is **Truckee River**
2. The amount of water to be changed **0.125 cfs**
3. The water to be used for **Dust Mitigation**
4. The water heretofore permitted for **Irrigation**
5. The water is to be diverted at the following point **Derby Dam in the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T.20N., R.23E., M.D.B.&M.**
6. The existing permitted point of diversion is located within **Same as No. 5 above**
7. Proposed place of use **NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22; SE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 15. SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10; NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 9; SW $\frac{1}{4}$ Section 4; T.19N., R.26E., M.D.B.&M.**
8. Existing place of use **See Attachment B (approximately 164 acres within the Desert Lakes Golf Course)**
9. Use will be from **May 1 to November 30** of each year.
10. Use was permitted from **as decreed**.
11. Description of proposed works. **Diversion sand bags, piping and pump**
12. Estimated cost of works **\$10,000**
13. Estimated time required to construct works **1 month**
14. Estimated time required to complete the application of water to beneficial use **1 year**
15. Remarks: **The total annual consumptive use for dust mitigation on the existing dirt roads shall not exceed 30 AF based on 80,000 gpd over 120 days.**

By **Martin Ugalde - City Engineer**
s/Martin Ugalde (Cert. No. 1036)
P. O. Box 9
Fernley, Nevada 89408

Compared dl/dr dl/lb

Protested _____

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 temporary permit to change the place and manner of use of a portion of the waters of the Truckee and Carson Rivers as set forth under Permit 53894 which changed the place of use of a portion the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on **November 15, 2003** at which time all rights herein granted shall revert to the right being changed by this temporary permit.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, but not to exceed 30 acre feet as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before:

Proof of completion of work shall be filed before:

Water must be placed to beneficial use on or before:

Proof of the application of water to beneficial use shall be filed on or before:

Map in support of proof of beneficial use shall be filed on or before:

TEMPORARY

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office,

this **23rd** day of **May**, A.D. **2003**

Hugh Ricci, P.E.

State Engineer

EXPIRED
DATE NOV 15 2003 *cmf*

ATTACHMENT B(EXISTING PLACE OF USE)

Township 20 North, Range 25 East, M.D.B.&M.

<u>Section</u>	<u>Subdivision</u>	<u>Acreage</u>
22	NE 1/4, NE 1/4	16.75
22	SE 1/4, NE 1/4	18.49
22	NE 1/4, SE 1/4	15.10
23	NW 1/4, NE 1/4	0.89
23	SW 1/4, NE 1/4	15.61
23	NE 1/4, NW 1/4	0.08
23	NW 1/4, NW 1/4	3.30
23	SW 1/4, NW 1/4	26.98
23	SE 1/4, NW 1/4	19.51
23	NE 1/4, SW 1/4	10.44
23	NW 1/4, SW 1/4	15.67
23	SE 1/4, SW 1/4	0.15
23	NW 1/4, SE 1/4	16.21
23	SW 1/4, SE 1/4	4.82

TOTAL = 164.00 ACRES