Permit No. 73165

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:	**CITY OF FERNLEY**
Source:	**TRUCKEE RIVER**
Basin:	**TRACY SEGMENT**
Manner of Use:	**MUNICIPAL**
Period of Use:	**AS DECREED**
Priority Date:	**AS DECREED**

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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 manner and place 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.

The period of use of this permit is limited to that portion of the irrigation season that Truckee River Claim 3 would be in priority to receive water.

This permit is expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due the same 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 are as described 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 27.9 acre-feet as decreed.**

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:	**September 19, 2018**
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 19th day of **September**, A.D. **2008**

for State Engineer P.E.

Completion of work filed February 21, 1996 under 60692

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

NO. 73165

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Date of filing in State Engineer's Office **AUG 19 2005**

Returned to applicant for correction

Corrected application filed

Map filed **DEC 06 2005 under 73161**

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The applicant **City of Fernley** hereby makes application for permission to change the **Place and Manner of Use of a portion** of water heretofore appropriated under **Truckee-Carson Irrigation District No. 377-1 United States of America, Plaintiff, vs. Orr Water Ditch Company, et al, Defendants" in Equity No. 1.3, Claim No. 3.**

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

2. The amount of water to be changed **27.90 acre feet – prorata share of diversion rate**

3. The water to be used for **Municipal and Domestic Uses**

4. The water heretofore permitted for **As Decreed Purposes**

5. The water is to be diverted at the following point **Same as existing point of Diversion**

6. The existing permitted point of diversion is located within **the N½ SW¼ of Section 19, T20N, R23E, MDM (Truckee River at Derby Dam)**

7. Proposed place of use **Refer to Attachment A**

8. Existing place of use **6.2 acres within a portion of following the SW¼ SW¼ of Section 8, T19N, R27E, MDM Churchill County APN 007-111-08 TCDI Serial No. 377-1**

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

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

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

12. Estimated cost of works **$5,500,000**

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: **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. Alternatively, the surface water may be diverted to a recharge basin for aquifer recharge, storage and recovery.**

By s/ R. Michael Turnipseed PE.
204 N. Minnesota St.
Carson City NV 89703

Compared **gkl/sam**

Protested 12-22-05-Churchill Cty, 3-6-06 by The Pyramid Lake Paiute Tribe of Indians
Pro. overruled 4/4/2008 See Ruling #5826

ORIGINAL

73165

ATTACHMENT A

PROPOSED PLACE OF USE:

T.20 N., R. 24 E., 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.

T.20 N., R. 25 E., M.D.B. & M.

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

T.20 N., R. 26 E., 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.

T.21 N., R. 25 E., 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

T.21 N., R. 26 E., 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.

T.22 N., R. 26 E., M.D.B. & M.

Portion of Sections 28, 32 and 33.

T.19 N., R. 25 E., M.D.B. & M.

All of Sections 1 through 36.

T.19 N., R. 24 E., M.D.B. & M.

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

T.19 N., R. 23 E., 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.

For Proposed POU use map on file under Application No. 71382

For Existing POU use map to accompany these 5 applications.