

**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:** WASHOE COUNTY  
**Source:** THOMAS CREEK  
**Basin:** TRUCKEE MEADOWS  
**Manner of Use:** STORAGE  
**Period of Use:** January 1st to December 31st  
**Priority Date:** 01/01/1871

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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 point of diversion, place and manner of use of a portion of the waters of Thomas Creek as heretofore granted under Claim 486, Truckee River 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.**

**A monthly report shall be submitted to the State Engineer and Federal Water Master within 10 days from the end of each month which shall include the amount of water diverted and the amount of water used.**

**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 issuance of this permit is for the consumptive use portion only, being 5.13 acre-feet, of the 8.21 acre-feet portion of the base right. The remainder, 3.08 acre-feet, remains in the surface water source. The issuance of this permit abrogates 8.21 acre-feet from Claim 486, Truckee River Decree.**

**This primary permit is issued under the authority of NRS 533.440 (secondary applications are required for the use of the appropriated water) and is only a temporary allowance. The final water right obtained will be dependent upon the amount of water actually placed to beneficial use under the secondary permits. A totalizing meter must be installed at the discharge near the point of diversion and accurate measurements must be kept of storage water discharged. The State retains the right to regulate the use of water herein granted at any and all times.**

**A monitoring plan that shall include locations and types of measuring devices shall be submitted to and approved by the State Engineer and the Federal Water Master prior to any diversion of water under this permit.**

**This permit is issued subject to the continuing jurisdiction and regulation by the Federal Water Master. Water under this permit may become unavailable when regulation by priority occurs on Thomas Creek.**

**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 that can be applied to beneficial use, and not to exceed 0.0513 cubic feet per second, but not to exceed 5.13 acre-feet as decreed.

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

August 24, 2012

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

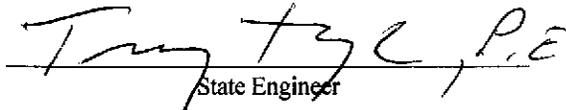
N/A

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 24<sup>th</sup> day of August, A.D. 2007

  
State Engineer

Completion of work filed \_\_\_\_\_

Proof of beneficial use filed \_\_\_\_\_

Cultural map filed \_\_\_\_\_

Certificate No. \_\_\_\_\_ Issued \_\_\_\_\_

bk

**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 OCT 14 2005

Returned to applicant for correction \_\_\_\_\_

Corrected application filed \_\_\_\_\_

Map filed JUL 15 2004 under 71455

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The applicant **Washoe County**, a political subdivision of the State of Nevada hereby makes application for permission to change the **Point of Diversion Manner and Place of Use** of a portion of water heretofore appropriated under **Claim 486** of the Truckee River Decree entered by the District Court of the United States of America for Nevada in that certain action entitled **"United States of America, Plaintiff vs. Orr Water Ditch Company, et al, Defendants"** in Equity Docket A-3.

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1. The source of water is **Thomas Creek**
2. The amount of water to be changed **8.21 acre-feet annually along with a prorate portion of the diversion rate.**
3. The water to be used for **storage**
4. The water heretofore permitted for as decreed
5. The water is to be diverted at the following point **NW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 13, T.18N., R19E., MDB&M** or at a point from which the SE corner of said Section 13 bears **S45°14'54"E**, a distance of **2,155.56 feet**. (Please refer to map filed under Application 71455.)
6. The existing permitted point of diversion is located within **NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 32, T.19N., R20E., MDB&M** as Described in the footnote on page 52 of the Truckee River Decree.
7. Proposed place of use **On-site storage associated with a surface water treatment plant located in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 21, T.18N., R.20E., M.D.B.&M** Ultimate place of use to be determined by secondary applications. Refer to map filed under Application 70937 for proposed place of use.
8. Existing place of use **2.052 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 21, T.19N., R.20E., M.D.B.&M**. Refer to supporting map filed under Application 64638, on file at the Division of Water Resources.
9. Use will be from **January 1 to December 31** of each year.
10. Use was permitted from **As Decreed to As Decreed** of each year.
11. Description of proposed works **Diversion structure on Thomas Creek, then via proposed pipeline/ditch to proposed place of use.**
12. Estimated cost of works **\$30,000,000.00**
13. Estimated time required to construct works **Five (5) years**

**73339**

14. Estimated time required to complete the application of water to beneficial use **Ten (10) years**

15. Remarks: **See attachment "A"**

By **s/Vahid Behmaram  
Vahid Behmaram  
4930 Energy Way  
Reno, NV 89502-4106**

Compared ~~sg/~~ **gkl** \_\_\_\_\_

Protested \_\_\_\_\_

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**Attachment "A"****Remarks**

This application to change is associated with Washoe County's South Truckee Meadows Surface Water Treatment Plant.

Upon permitting of this application, Washoe County will file Secondary Applications to place the stored water to beneficial use. Secondary applications will be filed for Municipal, Artificial Recharge & Recovery, and Wildlife (in-stream flow) purposes. These secondary applications will provide the needed flexibility to Washoe County to beneficially use this water under all three or either one of the manners of use with the understanding that the total combined duty will not exceed that of the primary storage permit duty.

In reference to the in-stream flow/wildlife secondary applications contemplated in this project, Washoe County stipulates to notify the downstream parties, i.e., Pyramid Lake Paiute Tribe, T.C.I.D. and Churchill County, prior to filing of said secondary application.

The purpose of the notification is to seek consensus on the disposition of the water under the secondary applications once it reaches the main stem of the Truckee River, and the relative rights to this water at Derby Dam.

This application is being made for the benefit of Syncon Homes, current owner of these water rights. These water rights will be dedicated to Washoe County once this application is ready for action.