

**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 NOV 14 2005

Returned to applicant for correction DEC 07 2005

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

Map filed AUG 26 2004 under 71534

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The applicant **Centex Homes**, a Nevada corporation hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use of a portion** of water heretofore appropriated under **Claims 221/222, 294 & 326 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, AND Permit 11489, Certificate 4827 (Claims 241, 244, 249, 250, 251 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 Ditch Company, et al, Defendants"**, in Equity Docket A-3.)

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1. The source of water is **the Truckee River**.
2. The amount of water to be changed **Claim 221/222 – 0.49 acre-feet; Claim 241 – 1.84 acre-foot, Claim 244 – 1.52 acre-feet; Claim 249 – 0.56 acre-feet; Claim 250 – 1.04 acre-feet; Claim 251 – 0.8 acre-feet; Claim 294 – 1.2 acre-feet; Claim 326 – 2.6 acre-feet along with a pro-rata share of the diversion rate.**
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 Truckee Meadows Water Authority's existing water treatment plants and Washoe County Induction Well #4 as described in attached Exhibit "A" and as shown on the map supporting Application No. 71534 on file with the Division of Water Resources.**
6. The existing permitted point of diversion is located within **See Exhibit "C"**
7. Proposed place of use **See attached Exhibit "B" as described in Change Application No. 71534 and shown on the map accompanying said application on file with the Division of Water Resources, State of Nevada.**
8. Existing place of use **See Exhibit "D"**
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 **Water will be diverted at existing Truckee Meadows Water Authority facilities, treated and placed into the existing distribution system.**
12. Estimated cost of works **Completed.**
13. Estimated time required to construct works **Completed.**

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

15. Remarks:

By **s/Jackie Bernabe**  
**Jackie Bernabe**  
**500 Damonte Ranch Pkwy. #1056**  
**Reno, NV 89521**

Compared sg/gkl lv/ gkl

Protested \_\_\_\_\_

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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, manner of use and place of use of a portion of Claims 221/222, 294 and 326, and 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 Permit 11489, Certificate 4827, which changed the point of diversion of Claim Nos. 241, 244, 249, 250 and 251, 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.

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 amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0649 cubic feet per second, **but not to exceed 10.086 acre-feet as decreed.**

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

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

August 14, 2016

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

September 14, 2016

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 14th day of August, A.D. 2006

Tracy Taylor, P.E.  
State Engineer

Completion of work filed November 12, 2004 under 71420

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

Cultural map filed N/A

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

**EXHIBIT "A"**

The following describes the multiple points of diversion for Truckee Meadows Water Authority Water Treatment Plants and Washoe County Hidden Valley Induction Well #4, which are shown on the map accompanying Application No. 71534 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 situate within the Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) 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 situate within the Southwest one-quarter of the Southeast one-quarter (SW $\frac{1}{4}$  SE $\frac{1}{4}$ ) 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 situate within the Southeast one-quarter of the Southeast one-quarter (SE $\frac{1}{4}$  SE $\frac{1}{4}$ ) 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 situate within the Southwest one-quarter of the Northeast one-quarter (SW $\frac{1}{4}$  NE $\frac{1}{4}$ ) 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 situate within the Northeast one-quarter of the Southeast one-quarter (NE $\frac{1}{4}$  SE $\frac{1}{4}$ ) 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 situate within the Northeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$  SW $\frac{1}{4}$ ) 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.

**WASHOE COUNTY (HIDDEN VALLEY INDUCTION WELL #4)**

The point of diversion is situate within the West one-half of the Northwest one-quarter (W $\frac{1}{2}$  NW $\frac{1}{4}$ ) of Section 16 T.19N., R.20E., M.D.B.&M., Washoe County, Nevada from said point of diversion the West one-quarter corner of Section 21, T.19N., R.20E., M.D.B.&M. bears South 09°54'07"W a distance of 6929.94 feet.

EXHIBIT "B"  
PROPOSED PLACE OF USE

| <u>DIVISION</u> | <u>SECTION</u> | <u>T-N</u> | <u>R-E</u> |            |
|-----------------|----------------|------------|------------|------------|
| ALL             | 1 - 5          | 18         | 18         | M.D.B.& M. |
| E ½             | 6 & 7          | 18         | 18         | M.D.B.& M. |
| ALL             | 8 - 17         | 18         | 18         | M.D.B.& M. |
| E ½             | 18 & 19        | 18         | 18         | M.D.B.& M. |
| ALL             | 20 - 29        | 18         | 18         | M.D.B.& M. |
| E ½             | 30 & 31        | 18         | 18         | M.D.B.& M. |
| ALL             | 32 - 36        | 18         | 18         | M.D.B.& M. |
| ALL             | 1 - 5          | 19         | 18         | M.D.B.& M. |
| E ½             | 6 & 7          | 19         | 18         | M.D.B.& M. |
| ALL             | 8 - 17         | 19         | 18         | M.D.B.& M. |
| E ½             | 18 & 19        | 19         | 18         | M.D.B.& M. |
| ALL             | 20 - 29        | 19         | 18         | M.D.B.& M. |
| E ½             | 30 & 31        | 19         | 18         | M.D.B.& M. |
| ALL             | 32 - 36        | 19         | 18         | M.D.B.& M. |
| ALL             | 1 - 5          | 20         | 18         | M.D.B.& M. |
| E ½             | 6 & 7          | 20         | 18         | M.D.B.& M. |
| ALL             | 8 - 17         | 20         | 18         | M.D.B.& M. |
| E ½             | 18 & 19        | 20         | 18         | M.D.B.& M. |
| ALL             | 20 - 29        | 20         | 18         | M.D.B.& M. |
| E ½             | 30 & 31        | 20         | 18         | M.D.B.& M. |
| ALL             | 32 - 36        | 20         | 18         | M.D.B.& M. |
| ALL             | 1 - 5          | 21         | 18         | M.D.B.& M. |
| E ½             | 6 & 7          | 21         | 18         | M.D.B.& M. |
| ALL             | 8 - 17         | 21         | 18         | M.D.B.& M. |
| E ½             | 18 & 19        | 21         | 18         | M.D.B.& M. |
| ALL             | 20 - 29        | 21         | 18         | M.D.B.& M. |
| E ½             | 30 & 31        | 21         | 18         | M.D.B.& M. |
| ALL             | 32 - 36        | 21         | 18         | M.D.B.& M. |
| ALL             | 1 - 36         | 17         | 19         | M.D.B.& M. |
| ALL             | 1 - 36         | 18         | 19         | M.D.B.& M. |
| ALL             | 1 - 36         | 19         | 19         | M.D.B.& M. |
| ALL             | 1 - 36         | 20         | 19         | M.D.B.& M. |
| ALL             | 1 - 36         | 21         | 19         | M.D.B.& M. |

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| <u>DIVISION</u> | <u>SECTION</u> | <u>T-N</u> | <u>R-E</u> |            |
|-----------------|----------------|------------|------------|------------|
| ALL             | 5 & 6          | 16         | 20         | M.D.B.& M. |
| ALL             | 1 - 36         | 17         | 20         | M.D.B.& M. |
| ALL             | 2 - 35         | 18         | 20         | M.D.B.& M. |
| W ½             | 36             | 18         | 20         | M.D.B.& M. |
| ALL             | 1 - 12         | 19         | 20         | M.D.B.& M. |
| ALL             | 14 - 23        | 19         | 20         | M.D.B.& M. |
| ALL             | 26 - 35        | 19         | 20         | M.D.B.& M. |
| ALL             | 1 - 36         | 20         | 20         | M.D.B.& M. |
| ALL             | 1 - 36         | 21         | 20         | M.D.B.& M. |
| ALL             | 1 - 36         | 20         | 21         | M.D.B.& M. |
| ALL             | 1 - 36         | 21         | 21         | M.D.B.& M. |

See supporting map accompanying application 71534.

## Exhibit "C"

Lake Ditch Claims 221/222

The NE ¼ of the NW ¼ of Section 19, T 19N, R 19E, MDB& M, or at a point from which the Northwest corner of Section 20, T 19N, R 19E, MDB& M bears South 88° 05' East a distance of 2,620 feet.

Southside Canal (changed to Lake Ditch by Permit No. 11489, Certificate No. 4827) Claims 241, 244, 249, 250 & 251

The NE ¼ of the NW ¼ of Section 19, T 19N, R 19E, MDB& M, or at a point from which the Northwest corner of Section 20, T 19N, R 19E, MDB& M bears South 88° 05' East a distance of 2,620 feet.

Orr Ditch & Extension Claim 294 & 326

The NE ¼ of the SW ¼ of Section 17, T 19N, R 19E, MDB& M, or at a point from which the Northwest corner of Section 20, T 19N, R 19E, MDB& M bears South 44° 40' West a distance of 3,211 feet.

## Exhibit "D"

Claim 221/222 – 0.15 ac. in the SE¼ NW¼ in Section 5, T18N, R20E, MDB&M under TR – 028 Parcel Number: 164-271-05.

Claim 241 – 0.366 ac. in the SW¼ NE¼ in Section 14, T19N, R19E, MDB&M under Assessor's Parcel Numbers: 011-313-10 (0.106ac), 011-314-07 (0.14ac), 014-042-08 (0.12ac) as shown on the supporting map.

Claim 244 – 0.32 ac. in the SW ¼ SE ¼ & NW¼ SE¼ in Section 14, T19N, R19E, MDB&M under TR – 112 Parcel Numbers: 014-193-08 (0.16ac.), 014-106-09 (0.16ac.).

Claim 249 – 0.14 ac. in the SE¼ SE¼ in Section 14 & SW¼ SW¼ in Section 13, T19N, R19E, MDB&M under TR-108 Parcel Number: 014-226-21.

Claim 250 – 0.26 ac. in the NE¼ NW¼ in Section 23, T19N, R19E, MDB&M as shown on TR-113 Parcel Number: 019-074-34 minus the portion already stripped under Change Application 63310.

Claim 251 – 0.20 ac. in the NE¼ NE¼ in Section 23, T19N, R19E, MDB&M under TR – 108 Parcel Number: 019-093-32.

Claim 294 – 0.30 ac. in the SW¼ NW¼ in Section 1, T19N, R19E, MDB&M under TR – 096 Parcel Numbers: 008-014-03 (0.16ac.), 008-014-04 (0.14ac.).

Claim 326 – 0.65 ac. in the NE¼ NE¼ in Section 33, T20N, R20E, MDB&M under Assessor's Parcel Numbers 028-061-52 (0.35ac) and 028-061-53 (0.30 ac) as shown on the supporting map, being a portion of old Assessor's Parcel Number 028-061-37 as shown on Map TR-063.