Permit No. 73792

THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of applicant:	**TRUCKEE MEADOWS WATER AUTHORITY**
Source:	**TRUCKEE RIVER**
Basin:	**TRUCKEE CANYON SEGMENT**
Manner of Use:	**STORAGE**
Period of Use:	**AS DECREED**
Priority Date:	**AS DECREED**

****

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the submitted application, and do hereby grant the same, subject to the following limitations and conditions:

This primary permit is issued under the authority of NRS 533.440 (secondary applications are required for the use of the stored 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. This permit is subject to the continuing jurisdiction and regulation by the State Engineer and the Federal Water Master.

This permit, to change the point of diversion, manner and place of use of the waters of the Truckee River as heretofore granted under Permit 42736, Certificate 11898, which changed the point of diversion, manner and place of use of Claim 619 of the 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 diverted into storage and released from storage must be recorded.

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

This permit is hereby issued and becomes effective upon proof that the Orr Ditch Decree has been amended to allow changes to the Floriston Rates and the conditions required for the Truckee River Operating Agreement to enter into effect have been satisfied. The base right to this permit remains in full force and effect until such time that this permit becomes effective.

(Continued on Page 2)

No more than 25 percent of any water right can be taken into storage in any one month under a reduced diversion rate proportional to the consumptive and non-consumptive portions of the water right.

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 point of diversion and place of use are as described on the submitted application to support this permit.

The amount of water to be diverted shall be limited to:

- For Water Treatment Plants (Exhibit A of the application) - The entire amount, **322.0 acre-feet at a diversion rate of 3.4 cubic feet per second when not diverted into the upstream reservoirs,** may be directly diverted into the water treatment plants to satisfy the secondary application for municipal use (S04),

OR

- For Upstream Reservoirs (Exhibit B of the application) - Only the consumptive use portion of the original decreed water right may be diverted for storage into these reservoirs. The consumptive use portion available for diversion under this permit, based on 2.50 acre-feet per acre, is **226.12 acre-feet, at a diversion rate of 2.3876 cubic feet per second**. The remainder, 95.88 acre-feet at a diversion rate of 1.0124 cubic feet per second, must remain in the river and be available for downstream users.

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **February 14, 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, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 14th day of February, 2011

J. K. P.E.

State Engineer

Completion of work filed _____

No. 73792

PRIMARY

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 03 2006**

Returned to applicant for correction_____

Corrected application filed_____

Map filed **FEB 17 2006 under 73783**

****

The applicant **Truckee Meadows Water Authority** hereby makes application for permission to change the **Point of Diversion, Manner of Use and Place of Use** of water heretofore appropriated under **Permit No. 42736, Certificate No. 11898**

****

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

2. The amount of water to be changed **3.40 cfs but not to exceed 322.00 afa as described under Item 15 "Remarks"**

3. The water to be used for **Storage with secondary permits for beneficial uses allowed by the Truckee River Operating Agreement.**

4. The water heretofore permitted for **Municipal**

5. The water is to be diverted at the following point **All existing Points of Diversion described in Exhibit "A" attached hereto and the addition of all existing reservoirs described in Exhibit "B" attached hereto and shown on the map filed with Primary Application No. 73783.**

6. The existing permitted point of diversion is located within **the Southwest one-quarter of the Northeast one-quarter (SW¼ NE¼) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from which point the Northeast corner of said Section 7 bears North 39° 28' East, a distance of 3,015.00 feet (North Truckee Ditch-Glendale Treatment Plant).**

7. Proposed place of use **The beneficial places of use will be set forth in applications for secondary permits consistent with the Truckee River Operating Agreement. The water stored under this Primary Application will be in the reservoirs as shown on the supporting maps filed with Primary Application No. 73783.**

8. Existing place of use **See attached Exhibit "C" as described in Permit No. 42736 and shown on supporting map Filed under Permit No. 42727 on file with the Division of Water Resources, State of Nevada.**

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 **The diversion works for those Points of Diversion described in Exhibit "A" and the existing reservoirs described in Exhibit "B" and shown on the map filed with Primary Application No. 73783 are complete and built.**

12. Estimated cost of works **None**

13. Estimated time required to construct works **None**

14. Estimated time required to complete the application of water to beneficial use **N/A**

73792

15. Remarks: **See remarks in Exhibit "D" attached hereto.**

By **s/Kenneth C Briscoe**
Kenneth C. Briscoe
TMWA, P O Box 30013
Reno, NV 89520-3013

Compared **sg/** sam

Protested

****

EXHIBIT "A"

The following describes the multiple points of diversion for Truckee Meadows Water Authority Water Treatment Plants, which are shown on the map accompanying Application No. 73783 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 (NE¼ SW¼) 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 (SW¼ SE¼) 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 (SE¼ SE¼) 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 (SW¼ NE¼) 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 (NE¼ SE¼) 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 (NE¼ SW¼) 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"

The Proposed Points of Diversion (Dam) are shown on the map filed with Application No. 73783 and Capacity (AF) for each Storage Reservoir is as follows:

Lake Tahoe:

Situate in the NE ¼ of the NW ¼ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 7 bears South 29° 09' 30" West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Situate in the SE ¼ of the NE ¼ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South 04° 07' 14" East a distance of 2,981 feet, more or less. The capacity of Donner Lake is approximately 9,500 AF.

Prosser Creek Dam (Reservoir):

Situate in the NW ¼ of the SW ¼ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 30 bears South 22° 58' 48" West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Situate in the SE ¼ of the SW ¼ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 21 bears South 81° 05' 07" West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir):

Situate in the NW ¼ of the NW ¼ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the northwest corner of said Section 28 bears North 36° 08' 27" West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Independence Lake Dam:

Situate in the NW ¼ of the SW ¼ of Section 35, T. 19N., R. 15E., M.D.M., or from the Dam the Southwest corner of said Section 35 bears South 20° 06' 47" West a distance of 1,945 feet, more or less. The capacity of Independence Lake is approximately 17,500 AF.

Ex. 'C'

73792

T20N, R19E

Section 15 - All that portion south of the Western Pacific Railroad right-of-way.

Section 22 - All

Section 23 - All that portion lying westerly of the northeasterly right-of-way line of U.S. Highway 395 and the northerly right-of-way line of the Western Pacific Railroad; also the S½ SW¼.

Section 25 - S½ S½

Section 26 - NW¼; SW¼ NE¼; a fraction of the NW¼ SE¼ lying northerly of the Western Pacific Railroad right-of-way; SW¼; S½ SE¼

Section 27 - All

Section 33 - The southerly 900 feet of the easterly 1600 feet of the S½ SE¼

Section 34, 35, 36 - All

T20N, R20E

Section 19 - SW¼ SW¼; SE¼ SE¼

Section 20 - SW¼

Section 27 & 28 - S½ S½

Section 29 - W½; S½ SE¼

Section 30 - W½; SE¼; NE¼ NE¼; S½ NE¼

Section 31, 32, 33, 34, 35 - All

T19N, R20E

Sections 2,3,4,5,6,7,8,9,10,11,15,16,17,18,19,28,29,30,31 - All

Section 14 - N½ N½; SW¼ NW¼

Section 20 - N½; SW¼; NW¼ SE¼; all that portion of NE¼ SE¼ lying westerly of the westerly right-of-way line of Boynton La

Section 32 - N½; SW¼

Section 33 - N½

T19N, R19E

Sections - 1, 2, 3, 4, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 27 and 36 - All.

Section 5 - SE¼

Section 7 - S½; NE¼

Section 19- N½; N½ SE¼

Section 20- N½; SE¼; N½ SW¼

Section 28- N½

Section 34- NE¼ NE¼

Section 35- NW¼; NE¼; SE¼; E½ SW¼

T18N, R20E

Sections 6, 7, and 18 - All

Section 5 - W½

Section 8 - W½

Section 17 - W½

T18N, R19E

Sections 1, 12, and 13 - All

Section 2 - E½

Section 11- E½

Section 14- E½

EXHIBIT "D"

15. Remarks:

This application is filed pursuant to the provisions of N.R.S. §533.515 in that it seeks to add the reservoirs described in Exhibit B and as listed in Item 11 above as additional points of diversion for the consumptive use component of the water rights described herein, which consumptive use component is at least 2.5 acre feet per acre per year, and which water rights have points of diversion in the State of Nevada. This application is also filed as part of the implementation of the operating agreement described in Section 205(a) of Public Law 101-618. Because of the provisions of California Water Code section 1231 and 1232, California will recognize any permits issued by the Nevada State Engineer based upon this application. Therefore, it is within the jurisdiction of the Nevada State Engineer to approve this application allowing for storage of the consumptive use component of these Nevada water rights in California.

Water diverted to storage under a permit issued hereunder will be and is the subject of applications for secondary permits for beneficial uses allowed by the Truckee River Operating Agreement at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the consumptive use component of at least 2.5 acre feet per acre. The amount of water under a permit issued hereunder which may be in storage at any one time and which may be released and used from storage in any one year will not exceed the amounts allowed by the Truckee River Operating Agreement.

If the consumptive use component of a water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use. If the consumptive use component of a water right described herein is diverted to storage, the non-consumptive use component of the water right remains in the Truckee River.

Any permit issued under this application shall enter into effect simultaneously with the entry into effect of the Truckee River Operating Agreement.