Permit No. 74381

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 place and manner 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 30.25 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**

P.E.

for State Engineer

Completion of work filed February 21, 1996 under 60692

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

llb

NO. 74381

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Date of filing in State Engineer's Office **JUN 13 2006**

Returned to applicant for correction

Corrected application filed

Map filed **JUN 13 2006**

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The applicant **City of Fernley** hereby make 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 vs. Orr Ditch Co. in Equity No. A-3, Claim No. 3; in the Federal District Court of Nevada**

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

2. The amount of water to be changed **53.73 ac ft**

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 **Derby Dam located within the NE¼ Sw¼ Section 19, T.20N., R.23E., M.D.B.&M.**

6. The existing permitted point of diversion is located within **No change**

7. Proposed place of use **See attached sheet. For proposed place of use use map on file under Application 71382**

8. Existing place of use **NW¼ SW¼ (5.20 ac.) and NE¼ SW¼ (6.74 ac.) of Section 10, T.20N., R.24E., M.D.B.&M. A total of 11.94 ac. TCID SERIAL NO'S 1002-E, 1002-A, 1002-A-1**

9. Use will be from **1/1** to **12/31** of each year.

10. Use was permitted from **as decreed.**

11. Description of proposed works **Diversion dam, canal, surface water treatment plant and distribution lines**

12. Estimated cost of works **$5.5 million**

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: **For existing POU, use map to accompany this application**

By **Barry Fitzpatrick**
s/ **Barry Fitzpatrick**
800 E. College Parkway
Carson City, Nev 89706

Compared **mt/ag**

Protested **8-13-2006 by Pyramid Lake Paiute Tribe of Indians**
Pro. overruled in part 4/4/2008 See Ruling #5826

Proposed Place of Use of Change Application

T. 20 N., R. 24 E., M.D.B. & M.
Portions of Sections 9 and 10, Sections 11, 12, 13, 14 and 15; Portion of Sections 16, 17 and 20, Section 21, 22, 23, 24, 25, 26, 27 and 28; Portions of Sections 29, 30, 31, Sections 32, 33, 34, 35 and 36.

T. 20 N., R. 25 E., M.D.B. & M.
Sections 1, 2 and 3; Portions 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; Portions 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.
Portions 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.
Portions 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.
Portions of Sections 1, 12, 13, 14 and 23, Sections 24 and 25; Portion of Sections 26, 27 and 34, Sections 35 and 36.