



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: NORTH VALLEY HOLDINGS, LLC
Source: THOMAS CREEK
Basin: TRUCKEE MEADOWS
Manner of Use: STORAGE
Period of Use: January 1st to December 31st
Priority Date: 08/05/1859

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 719, 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.

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.

A monthly report of the water diverted and placed into storage must be submitted to the State Engineer and Federal Water Master within fifteen (15) days after the end of each month.

This permit is issued subject to continuing jurisdiction and regulation by the Federal Water Master.

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 stored shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.027cubic feet per second or 4.05 acre-feet as decreed.

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

October 18, 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 18th day of October, A.D. 2007

Signature of Tracy Taylor, P.E., State Engineer

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

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

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

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

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**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 AUG 22 2006

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

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

Map filed JUL 15 2004 under 71455

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The applicant **North Valley Holdings, LLC** hereby makes application for permission to change the **Point of Diversion, Place and Manner of Use of a portion** of water heretofore appropriated under **Claim 719 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.**

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1. The source of water is **Thomas Creek**
2. The amount of water to be changed **4.05 acre-feet; along with a pro-rata share 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 **NW¼ SE¼ Section 13, T18N, 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 Refer to map filed under 71455 for the proposed point of diversion.**
6. The existing permitted point of diversion is located within **As Decreed (SE¼ SW¼, Section 7, T18N, R20E, MDB&M) Per the Truckee River Decree and Maps**
7. Proposed place of use **On site storage associated with a surface water treatment plant located in the NE¼ SW¼ And NW¼ SW¼, Section 21, T18N, R20E, MDB&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 **1.08 acres in the NE¼ of the SE¼ Section 7, T18N R20E MDB&M as shown as Parcel Number 044-372-04 on Map TR-029**
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 the proposed place of use.**
12. Estimated cost of works **\$30,000,000.00**
13. Estimated time required to construct works **Five (5) Years**
14. Estimated time required to complete the application of water to beneficial use **Ten (10) years.**

**74670**

15. Remarks: **See Attachement A**

By **s/Tamara Mahe**  
**Tamara Mahe**  
**500 Damonte Ranch Pkwy. #1056**  
**Reno, NV 89521**

Compared **sg/bk** \_\_\_\_\_

Protested \_\_\_\_\_

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**Attachment A**

## 15. Remarks:

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

Upon permitting of this application, applicant or its successor(s) in interest, 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 applicant 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, applicant, or its successor(s), stipulates to notify the downstream parties, i.e., Pyramid Lake Paiute Tribe, TCID 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 secondary applications once it reaches the main stem of the Truckee River, and the relative right to this water at Derby Dam.

This application is being made for the benefit of North Valley Holdings, LLC, current owner of these water rights. These water rights will eventually be dedicated to Washoe County.

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STATE ENGINEERS OFFICE