



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: **DAMONTE FAMILY LIMITED PARTNERSHIP,**
A NEVADA LIMITED PARTNERSHIP

Source: **BROWN'S CREEK, SOUTH BRANCH OF WHITE'S CREEK**

Basin: **TRUCKEE MEADOWS**

Manner of Use: **STORAGE**

Period of Use: **January 1st to December 31st**

Priority Date: **01/01/1858**

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 Brown's Creek as heretofore granted under Claims 715/715A, 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. 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. This permit is further issued subject to the provisions of NRS 533.395 and the State retains the right to regulate the use of water herein granted at any and all times. The permittee shall notify downstream parties of the filing of any secondary applications.

A substantial measuring device must be installed and accurate records must be kept of the water flowing in Brown's Creek prior to it's commingling with other drainages.

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 appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.614 cubic feet per second or 80.03 acre-feet as decreed.**

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

November 30, 2010

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

November 30, 2017

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 30th day of November, A.D. 2007

For State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed _____

Certificate No. _____ Issued _____

Serial No. 76110

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

THIS SPACE IS FOR OFFICE USE ONLY	
Date of filing in State Engineer's Office	<u>AUG 01 2007</u>
Return to applicant for correction
Corrected application filed	Map filed <u>MAR 10 2004</u> under 70937

The applicant Damonte Family Limited Partnership, a Nevada limited partnership
500 Damonte Ranch Parkway, Suite 703 of Reno
Nevada 89521, 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 715/ 715a of the Truckee River Decree entered by the
District Court 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

1. The source of water is Brown's Creek, south branch of White's Creek
2. The amount of water to be changed 80 ac. ft. along with a pro-rata share of the diversion rate
3. The water to be used for Storage
4. The water heretofore used for As decreed
5. The water is to be diverted at the following point NW 1/4 SW 1/4, Section 21, T.18N., R.20E., M.D.B. & M.,
or at a point from which the SW Corner of Section 19, T.18N., R.20E., M.D.B. & M., bears S. 83° 13' 01" W.,
a distance of 11,730.44 feet. See map filed under Application ⁷⁰⁹³⁷~~70939~~
6. The existing point of diversion is located within As decreed, historical & physical location being NE
1/4 SW 1/4, Section 30, T.18N., R.20E., M.D.B. & M., or at a point from which the SE Corner of Section 17,
T.18N., R.20E., M.D.B. & M., bears N. 48° 30' 00" E., a distance of 12,144.00 feet

mfw

87-112

7. Proposed place of use On site storage associated with surface treatment plant located in the NE 1/4 SW 1/4 and NW 1/4 SW 1/4 of Section 21, T.18N., R.20E., M.D.B. & M. Ultimate place of use to be determined by secondary applications. Please refer to map filed under Application ⁷⁰⁹³⁷ 70939 filed on March 10, 2004 MTW
8. Existing place of use Please refer to Attachment "A"
9. Use will be from January 1 to December 31 of each year.
10. Use permitted from As Decreed to _____ of each year.
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications or your diversion of storage works.) Proposed diversion structure and pipeline/ditch to proposed place of use
12. Estimated cost of works \$13,000,000.00
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
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

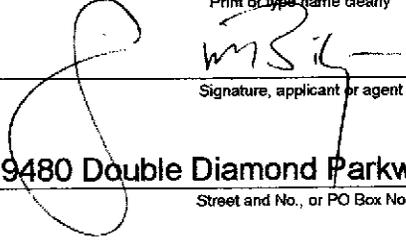
Please refer to Attachment "B".

STATE ENGINEERS OFFICE
2007 JUN -1 PM 2:48

(775) 352-7800
Phone number

BY Gregory M. Bilyeu

Print or type name clearly


Signature, applicant or agent

9480 Double Diamond Parkway, Suite 200

Street and No., or PO Box No

Reno, NV 89521

City, State, Zip Code No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION.

ATTACHMENT "A"

8. Existing Place of Use (Per Orr Ditch Decree)

$\frac{1}{4}$ $\frac{1}{4}$	Sec.	TwN	Rng	ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	16	T18N	R20E	40
NW $\frac{1}{4}$ SE $\frac{1}{4}$	16	T18N	R20E	9.2
SW $\frac{1}{4}$ SE $\frac{1}{4}$	16	T18N	R20E	21.6
SE $\frac{1}{4}$ SW $\frac{1}{4}$	16	T18N	R20E	40
SW $\frac{1}{4}$ SW $\frac{1}{4}$	16	T18N	R20E	40
SE $\frac{1}{4}$ SE $\frac{1}{4}$	17	T18N	R20E	35.5
SW $\frac{1}{4}$ SE $\frac{1}{4}$	17	T18N	R20E	37.8
NE $\frac{1}{4}$ NE $\frac{1}{4}$	20	T18N	R20E	38.1
NW $\frac{1}{4}$ NW $\frac{1}{4}$	21	T18N	R20E	40
SW $\frac{1}{4}$ NW $\frac{1}{4}$	21	T18N	R20E	34.4
NW $\frac{1}{4}$ SW $\frac{1}{4}$	21	T18N	R20E	32.6
SW $\frac{1}{4}$ SW $\frac{1}{4}$	21	T18N	R20E	15.2
NE $\frac{1}{4}$ SW $\frac{1}{4}$	21	T18N	R20E	12.5
SE $\frac{1}{4}$ NW $\frac{1}{4}$	21	T18N	R20E	23.4
NE $\frac{1}{4}$ NW $\frac{1}{4}$	21	T18N	R20E	40
NW $\frac{1}{4}$ NE $\frac{1}{4}$	21	T18N	R20E	4.5
Total				464.8

Acreage being removed from irrigation

$\frac{1}{4}$ $\frac{1}{4}$	Sec.	TwN	Rng	APN	Acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$	21	T18N	R20E	49-230-18	0.71
SW $\frac{1}{4}$ SW $\frac{1}{4}$	21	T18N	R20E	49-230-18	10.21
Subtotal					10.92

$\frac{1}{4}$ $\frac{1}{4}$	Sec.	TwN	Rng	APN	Acres
NW $\frac{1}{4}$ NW $\frac{1}{4}$	21	T18N	R20E	R/W	8.26
SW $\frac{1}{4}$ SW $\frac{1}{4}$	21	T18N	R20E	R/W	0.82
Subtotal					9.08

Total acreage being removed from irrigation:	20
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APN's taken from TR Map 030 prepared by the Division of Water Resources

Attachment "B"

15. 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.

The water rights being transferred under this application are for the benefit of the Damonte Family Limited Partnership, their successors and assigns.