Application No. 77221

THE STATE OF NEVADA

APPLICATION TO APPROPRIATE WATER

Name of applicant:	**RENO-CITY**
Source:	**CHALK CREEK**
Basin:	**TRUCKEE MEADOWS**
Manner of Use:	**MUNICIPAL**
Period of Use:	**January 1st to December 31st**
Priority Date:	**07/11/2008**

****

DENIAL OF STATE ENGINEER

The protests are upheld in part and this application is herby denied on the grounds that there is no unappropriated water at the proposed source, that approval would conflict with existing rights, and thereby would threaten to prove detrimental to the public interest.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 17th day of April, A.D. 2009

FOR State Engineer

AMENDED Application No. 77221

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY

Date of filing in State Engineer's Office JUL 11 2008

Returned to applicant for correction JUL 23 2008

Corrected application filed SEP 22 2008 Map filed SEP 22 2008

The applicant CITY OF RENO

1 E. 1ST ST (Street Address or P.O. Box) of RENO (City or Town)

NV 89501 (State and Zip Code) hereby make(s) application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association give names of members.)

1. The source of water is CHALK CREEK (Name of stream, lake, underground, spring or other sources.)
2. The amount of water applied for is 1 (One second foot equals 448.83 gallons per minute.) second feet.
   (a) If stored in reservoir give number of acre-feet _____
3. The water to be used for MUNICIPAL (Irrigation, power, mining, commercial, domestic or other use. Must limit to one major use.)
4. If use is for:
   (a) Irrigation, state number of acres to be irrigated _____
   (b) Stockwater, state number and kind of animals _____
   (c) Other use (describe fully in No. 12) _____
   (d) Power:
      (1) Horsepower developed _____
      (2) Point of return of water to stream _____

5. The water is to be diverted from its source at the following point: (Describe as being within a 40-acre subdivision of public survey, and by course and distance to a found section corner. If on unsurveyed land, it should be so stated.)

SW 1/4 NE 1/4 SEC 17 T19N, R19E, MDB&M OR AT A POINT FROM WHICH THE NW CORNER OF SAID SECTION 17, T19N, R19E, MDB&M BEARS N59°13'13" W A DISTANCE OF 3167.37'.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)

SEE ATTACHED EXHIBIT 'B' AND AS SHOWN ON MAP THAT ACCOMPANIED APPLICATION 71606

7. Use will begin about JAN 1 (Month and Day) and end about DEC 31 (Month and Day) of each year.

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) (State manner in which water is to be diverted, i.e. diversion structure, ditches and flumes, drilled well with pump and motor, etc.)

DIVERSION STRUCTURE, POND, PUMPS & TREATMENT WORKS

9. Estimated cost of works: $2,000,000

10. Estimated time required to construct works: 3 YEARS (If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 10 YRS

12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary): (Failure to provide a detailed description may cause a delay in processing.)

CHALK CREEK HAS HIGH CONCENTRATIONS OF TOTAL DISSOLVED SOLIDS (TDS) AT NEARLY 3000 mg/l ... (CONTINUED ON ATTACHMENT A & AVERAGE MONITORING ON ATTACHMENT 'C'.)

13. Miscellaneous remarks:

svetich@ci.reno.nv.us
E-mail Address

(775) 334 3314
Phone No.

ELAINE TERRI SVETICH
Type or print name clearly

By [signature]
Signature, applicant or agent

CITY OF RENO
Company Name

1 E. FIRST ST CITY HALL 8th FLOOR
Street Address or PO. Box

RENO NV 89501
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

2008 SEP 22

$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

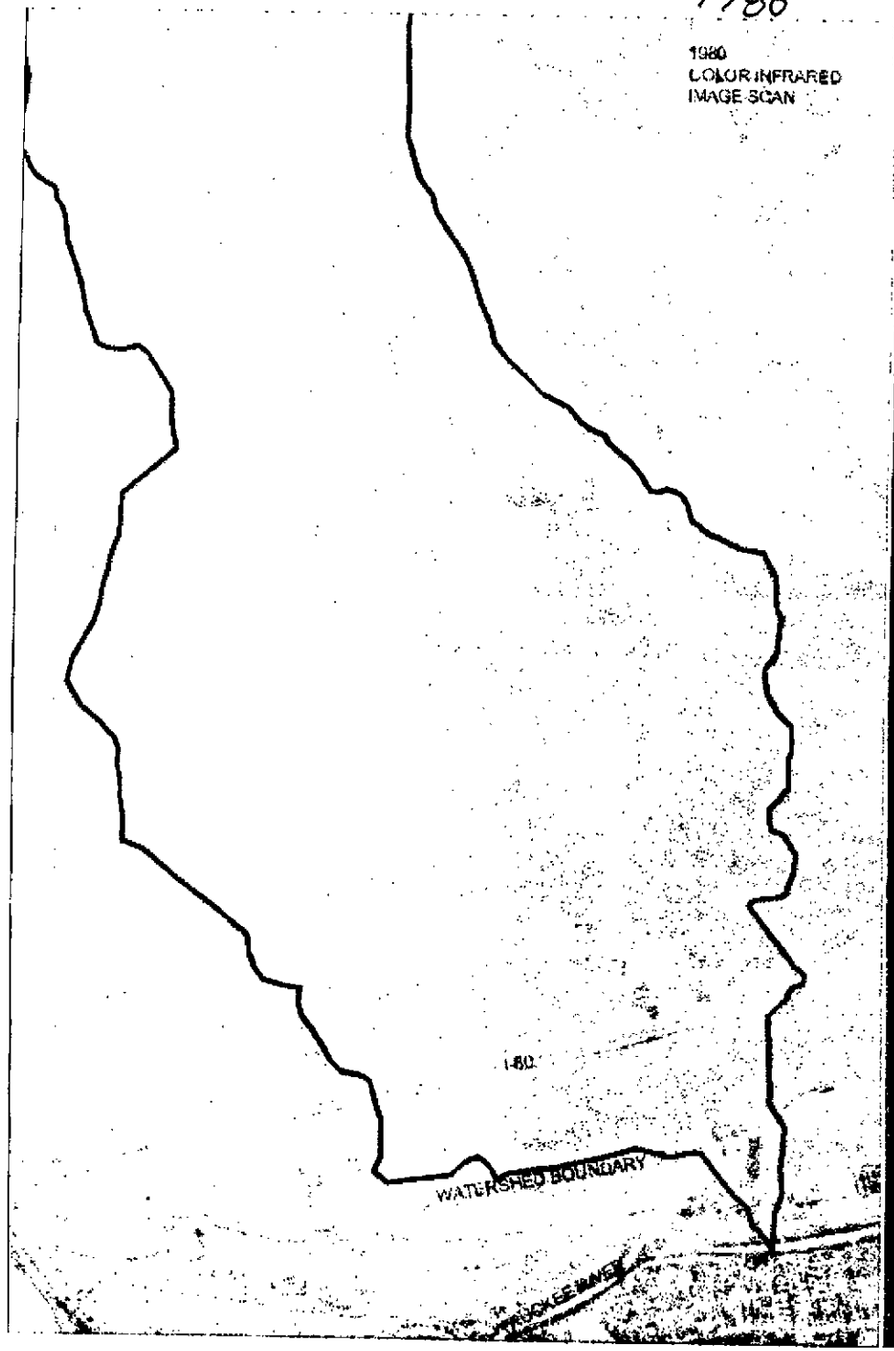
Revised 11-07

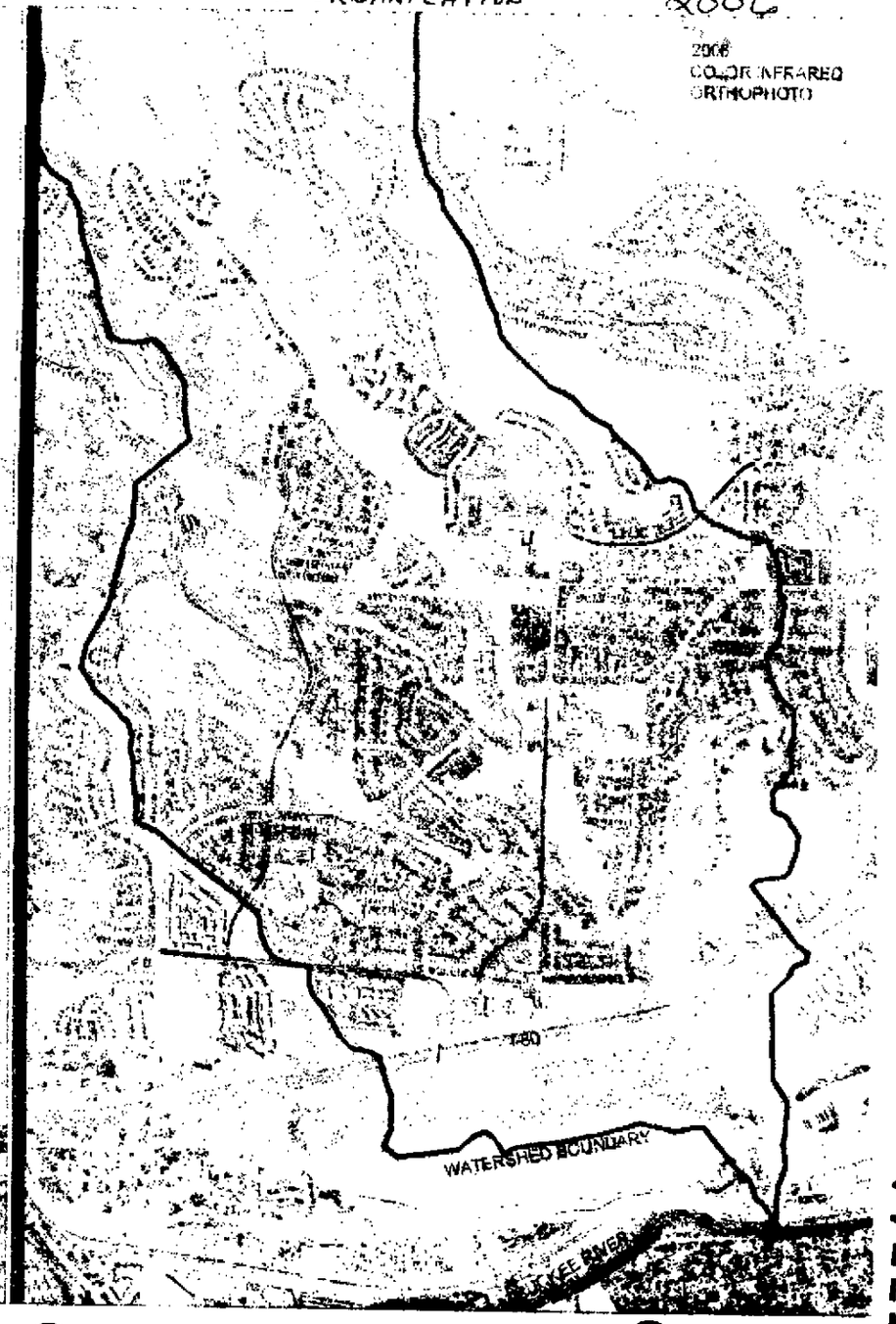
Protested: November 18, 2008, by Churchill County; November 19, 2008, by TMWA; November 24, 2008, by TCID

Attachment 'A'

Chalk Creek has high concentrations of Total Dissolved Solids (TDS) at nearly 3000 mg/l, nitrogen (N) at 4 mg/l and phosphorus (P) 0.5 mg/l and flows directly into the Truckee River. This creek flow has developed subsequent to the decree on the Truckee River as a result of urbanization. In 1980 prior to the bulk of development, the Chalk Ck drainage was ephemeral. By 2006, much of the watershed has been developed and the creek has become a flowing perennial stream as a result of secondary recharge. The attached map illustrates this point using infrared orthophotos. The infrared shows the green vegetation as red. The Chalk Creek Watershed map from 1980 is pretty much prior to most of the development. Red is only visible along the Truckee River and in the vicinity of the springs at the top of the photo. Comparing this to the Chalk Creek Watershed map from 2006, red is clearly shown throughout the watershed and in the drainage. Storm water flowing from impervious surfaces, irrigation and over watering has contributed to making this flow continuous. The Truckee River has a Total Maximum Daily Load (TMDL) for TDS, N, and P. The City is exploring ways in which flows from this creek can be treated to mitigate the loading to the Truckee River.

1980 MAP SHOWING URBANIZATION 2006





77221

77221

EXHIBIT "B"

PROPOSED PLACE OF USE

DIVISION	SECTION	T-N	R-E	
ALL	1-5	18	18	M.D.B.&M.
E½	6&7	18	18	M.D.B.&M.
ALL	8-17	18	18	M.D.B.&M.
E½	18&19	18	18	M.D.B.&M.
ALL	20-29	18	18	M.D.B.&M.
E½	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.
E½	6&7	19	18	M.D.B.&M.
ALL	8-17	19	18	M.D.B.&M.
E½	18&19	19	18	M.D.B.&M.
ALL	20-29	19	18	M.D.B.&M.
E½	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.
E½	6&7	20	18	M.D.B.&M.
ALL	8-17	20	18	M.D.B.&M.
E½	18&19	20	18	M.D.B.&M.
ALL	20-29	20	18	M.D.B.&M.
E½	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.
E½	6&7	21	18	M.D.B.&M.
ALL	8-17	21	18	M.D.B.&M.
E½	18&19	21	18	M.D.B.&M.
ALL	20-29	21	18	M.D.B.&M.
E½	30&31	21	18	M.D.B.&M.
ALL	32-36	21	18	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.
ALL	2-35	18	20	M.D.B.&M.
W½	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 ON FILE WITH APPLICATION NO. 71606

77221

Attachment ~~#~~ 'C' ET Sketch 9/19/08

Based upon the monitoring collected in the past year the:

TDS concentration (average): 2669 mg/l
Average Flow 0.53 cfs or about 341,000 gallons/day
Average Daily loading of TDS to the Truckee River: 7,600 pounds/day
Annual average based upon this data 2,800,000 pounds/year