

## THE STATE OF NEVADA

### PERMIT TO APPROPRIATE WATER

**Name of applicant:** KILEY RANCH PRESERVANCY FOUNDATION  
**Source:** OTHER SURFACE WATER  
**Basin:** SPANISH SPRINGS VALLEY  
**Manner of Use:** WILDLIFE  
**Period of Use:** January 1st to December 31st  
**Priority Date:** 11/20/2008

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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 is issued subject to all existing rights on the source. It is understood that the 0.5 cubic feet per second herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the amount of water actually placed to a beneficial use. A suitable measuring device must be installed and accurate measurements of the water placed to a beneficial use must be included in the proof of such use when filed. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined diversion rate of water under Permits 77628 and 77629 shall not exceed 0.5 cubic feet per second.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The source of water under this permit is nuisance drain water from unknown sources, and issuance of this permit does not ensure that the sources will continue to be available in the future. Additionally, this permit does not provide any right to surface water from or returning to the Truckee River.

This permit is issued for non-consumptive wildlife and recreation use within the proposed place of use; therefore, any future attempt to change the place of use and/or manner of use will be denied.

Any water in excess of incidental natural consumption of existing vegetation must be allowed to pass through the place of use for the benefit of downstream rights.

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

(Continued on Page 2)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.5 cubic feet per second.**

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

August 5, 2010

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

August 5, 2014

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 5th day of August, A.D. 2009

Tracy Taylor, P.E.  
State Engineer

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

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

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

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

llb

**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 NOV 20 2008

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

Corrected application filed \_\_\_\_\_ Map filed NOV 20 2008

The applicant KILEY RANCH PRESERVANCY FOUNDATION

201 WEST LIBERTY ST., THIRD FLOOR of RENO

Street Address or P.O. Box City or Town

NEVADA, 89501 hereby make(s) application for permission to appropriate

State and Zip Code

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.)

Kiley Ranch Preservancy Foundation is a non-profit corporation formed on February 26, 2008 in Nevada.

1. The source of water is SURFACE WATER OF THE NORTH TRUCKEE DRAIN  
Name of stream, lake, underground, spring or other sources.
2. The amount of water applied for is 0.5 CFS second feet.  
One second foot equals 448.83 gallons per minute.
  - (a) If stored in reservoir give number of acre-feet EST. 18.6 AF
3. The water to be used for WILDLIFE AND RECREATION  
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 \_\_\_\_\_

85-VIA

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.)  
in the NW1/4 NW1/4 of SECTION 14, T. 20 N., R. 20 E., M.D.M., or at a point from which the NW corner of said Section 14 bears N 88o 28' 26" W a distance of 408.26 feet.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)  
Portions of the NE1/4 SE1/4, SE1/4 SE1/4 of SECTION 10, portions of the NE1/4 NE1/4, SE1/4 NE1/4, SW1/4 NE1/4, NW1/4 SE1/4, NE1/4 SE1/4 and SE1/4 SE1/4 of SECTION 15, NW1/4 NW1/4, and portions of the NE1/4 NW1/4, SW1/4 NW1/4, and SE1/4 NW1/4 of SECTION 14, all in T. 20 N., R. 20 E., M.D.M.

7. Use will begin about JANUARY 1 and end about DECEMBER 31 of each year.  
Month and Day Month and Day

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.)  
Water enters the place of use via a tributary to the North Truckee Drain, passes through the property via a series of open ditches and ponds, then exiting through the outlet structure of a flood control dam.

9. Estimated cost of works: \$10,000

10. Estimated time required to construct works: 1 YEAR  
(If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 5 YEARS

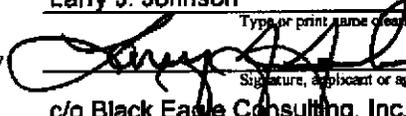
12. Provide a detailed description of the proposed project and its water usage (use attachments if necessary):  
(Failure to provide a detailed description may cause a delay in processing.)  
Water enters the wetland preserve under pre-existing surface water drainage of the North Truckee Drain, and then flows through the wetlands preserve via a series of channels and small ponds, ranging in size from 0.4 to 6.7 acres. Flow exits the wetlands preserve through the constructed outlet in City of Sparks Spanish Springs Valley Flood Control Dam. Water in the ponds is managed through a series of outlet gates. The ponds and the wetland are situated within the 100-year flood plain and become in part or fully inundated during runoff events. Water entering the wetlands will provide environmental and water quality enhancement.

13. Miscellaneous remarks:  
This application is being filed to appropriate nuisance surface water runoff from the North Truckee Drain and tributaries, which enters and flows through the existing wetlands area up-gradient of the City of Sparks Flood Control Dam in Spanish Springs Valley. A perennial source of runoff associated with urban water uses flows under current conditions to the wetlands, and provides a source of water to the pre-existing wetlands, including ponds, riparian vegetation, and phreatophyte vegetation. Estimated water consumption on the approximate 215 acre Kiley Ranch Wildlife Wetlands Preserve up to 200 af/yr.

ljohnson@blackeagleconsulting.com  
E-mail Address

(775) 359-6600  
Phone No.

**APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT**

By Larry J. Johnson  
Type or print name clearly  
  
Signature, applicant or agent  
c/o Black Eagle Consulting, Inc.  
Company Name  
1345 Capital Blvd., Suite A  
Street Address or P.O. Box  
Reno, NV 89502  
City, State, Zip Code

STATE ENGINEERS OFFICE  
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**\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION**