Permit No. 78041T

TEMPORARY

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:	**BOARD OF REGENTS, UNIVERSITY OF NEVADA SYSTEM**
Source:	**TRUCKEE RIVER**
Basin:	**TRACY SEGMENT**
Manner of Use:	**AS DECREED**
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 temporary permit to change the point of diversion and place of use of a portion of the waters of the Truckee River as heretofore granted under Claim 601, 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. Before any use of the water begins, a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of the waters placed to beneficial use. This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Temporary Permits 78041T and 78042T shall not exceed 215.31 acre feet as decreed.

The total combined duty of water under Temporary Permits 78041T, 78042T, and 78043T shall not exceed 350 acre feet as decreed for the irrigation of 77.78 acres within the proposed place of use.

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

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire 1 year after the approval of the permit at which time all rights herein granted shall revert to the right being changed by this temporary permit.

Temporary Permits 78041T, 78042T and 78043T are issued subject to the availability of water as determined by the Federal Water Master.

The total combined diversion of water under Temporary Permits 78041T and 78042T shall not exceed 1.345 cubic feet per second.

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 1.345 cubic feet per second or 215.31 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:	**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 27th day of **April**, A.D. **2009**

K. Hall P.E.

for State Engineer

llb

TEMPORARY

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Application No. 78041T

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 FOR OFFICE USE ONLY

Date of filing in State Engineer's Office FEB 17 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed FEB 17 2009

The applicant The Board of Regents, University of Nevada System

_____ (Street Address or P.O. Box) of Reno (City or Town)

Nevada 89557 (State and Zip Code), hereby make(s) application for permission to change the

☒ Point of diversion ☒ Place of use ☐ Manner of use ☒ of a portion

of water heretofore appropriated under (Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

Claim 601 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.

1. The source of water is Truckee River (Name of stream, lake, underground, spring or other sources.)
2. The amount of water to be changed 215.31AFA and a prorata share of the diversion rate (Second feet, acre-feet. One second foot equals 448.83 gallons per minute.)
3. The water to be used for As Decreed (Irrigation, power, mining, commercial, etc. If for stock, state number and kind of animals. Must limit to one major use.)
4. The water heretofore used for As Decreed (If for stock, state number and kind of animals.)
5. The water is to be diverted 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 stated.)
   Within the NW1/4NW1/4 Section 6, T.19N., R.22E., MDM at a point from which the NE corner of said Section 6 bears North 75degrees17'58" East, a distance of 4,322 feet
6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   The SE1/4 of the SE1/4 of Section 7, T.19N., R.20E., MDM., or at a point from which the NE corner of said Section 7 bears North 3degrees25'East, 4795.00 feet (Pioneer Ditch)

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
393.63 acres within N1/2 Section 1, E1/2 Section 2, SE1/4 Section 10, W1/2NE1/4, W1/2 Section 11, T.19N., R.21E.; N1/2, N1/2SW1/4 Section 6, T.19N., R.22E.; E1/2 Section 31, W1/2 Section 32, T.20N., R.22E., MDM

8. Existing place of use (Describe by legal subdivisions. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.)
See Attached

9. Proposed use will be from As Decreed (Month and Day) to As Decreed (Month and Day) of each year.

10. Existing use permitted from As Decreed (Month and Day) to As Decreed (Month and Day) of each year.

11. Description of proposed works. (Under the provision 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, pipes and flumes or drilled well, pump and motor, etc.)
Proposed gasoline-powered pumps of 5-10 horsepower with a wet well intake in the Truckee River

12. Estimated cost of works At least $5,000

13. Estimated time required to construct works Complete
If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 12 months

15. Provide a detailed description of the proposed project and its water usage (use attachments if necessary). The proposed use should be temporary in nature, or the requested change should be the result of an unforeseen occurrence: (Failure to provide a detailed description may cause a delay in processing.)
See Attached

2009 FEB 17 PM 2:01

16. Miscellaneous remarks:

775-322-4990x30
Phone No.

pbakker@tnc.org
E-mail

By Patti Bakker
Print or type name clearly

Patti Bakker
Signature, applicant or agent

The Nature Conservancy
Company Name

1 East First Street, Suite 1007
Street Address or P.O. Box

Reno, Nevada 89501
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$100 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

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ATTACHMENT TO TEMPORARY APPLICATION TO CHANGE TRUCKEE RIVER DECREE CLAIM 601

Item 8. Existing Place of Use

53.78 acres within the E1/2NE1/4 Section 20 and the W1/2NW1/4 Section 21, T.19N., R.20E., MDM, as described below (please refer to Truckee River Decree Map TR-045.)

APN	Acres
Portion 12-351-11	1.75
12-355-08	1.94
12-355-09	5.68
12-355-10	5.58
12-355-11	29.51
12-355-12	8.24
12-355-13	1.08
TOTAL ACRES	**53.78**

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ATTACHMENT TO TEMPORARY APPLICATION TO CHANGE TRUCKEE RIVER DECREE CLAIM 601

Item 15. Remarks

This application is one of two being filed concurrently to temporarily change a portion of Claim 601. These two changes are proposed to be used supplementally from two points of diversion, established in 2006, at pumps in the Truckee River. These two applications will be utilized in conjunction with a third Application to Change a portion of Claim 607. This is part of The Nature Conservancy's continuing efforts to rehabilitate natural vegetation at the McCarran Ranch and to assist in the improvement of water quality in the Truckee River. This project is a cooperative effort of The Nature Conservancy, the City of Reno and the University of Nevada, Reno. A total of 350 AFA is proposed to be temporarily moved from the University's Main Farm area downstream to be used within the McCarran Ranch acreage acquired by The Nature Conservancy. In the first three years of use of this water, approximately 20 acres of riparian and wetland areas were planted and watered, including approximately 10,000 trees. In 2006 the McCarran Ranch project expanded with the establishment of a new meander bend in the river, establishment of nine new wetland areas, and further riparian forest development, including extensive planting of trees and other shrubs and vegetation. These areas will need to be temporarily irrigated for three to four growing seasons.

The duty of water under Claims 601 and 607 is 4.0038 acre-feet per acre and 1.0039 acre-feet per acre, respectively. Although these applications are removing 53.78 acres and 134.81 from the Claims 601 and 607 irrigation areas, the duty proposed for transfer will reflect the decreed duty of the surface water rights at the proposed place of use (4.5 acre-feet per acre). This will allow a total of 77.78 acres to be irrigated annually within the overall 393.63 acres.

Please use Truckee River Decree Maps TR-045 and TR-046 and the map 67182 on file at the Division of Water Resources to support the existing point of diversion and place of use, and the map on file under 67962-T to support the proposed place of use.