SECONDARY Application No. 78344 - S01

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 MAY 1 3 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed FEB 2 6 2009 under 78034

The applicant CITY OF FERNLEY

595 SILVER LACE BLVD (Street Address or P.O. Box) of FERNLEY (City or Town)

NEVADA 89408 (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 Truckee River Water [See Remarks Section - Line Item #13] (Name of stream, lake, underground, spring or other sources.)
2. The amount of water applied for is 62.10 ACRE FEET (One second foot equals 448.83 gallons per minute.) second feet.
   (a) If stored in reservoir give number of acre-feet 62.10 ACRE FEET
3. The water to be used for MUNICIPAL AND DOMESTIC PURPOSES (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 _____

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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.)
Derby Dam being located in the N 1/2 SW 1/4, Section 19, T. 20 N., R.23E. M.D.B.&M. after the water has been released from upstream points of diversion described in Attachment "A".

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)
See Attachment "B" and map filed with primary application no. 78034

7. Use will begin about 1/1 (Month and Day) and end about 12/31 (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.)
ALL WORKS REFENCED IN ATTACHMENT "A" ARE COMPLETED

9. Estimated cost of works: $0.0 - ALL WORKS COMPLETED

10. Estimated time required to construct works: N/A
(If well completed, describe works.)

11. Estimated time required to complete the application of water to beneficial use: 10 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.)
The Surface water will be diverted to a treatment facility meeting the requirements of the US EPA Surface Water Rule. The finished water will be blended w/groundwater producing a product meeting the Safe Drinking Water Act. Alternately, the surface water may be diverted to a recharge basin for aquifer recharge, storage, and recovery. Alternately, the surface water may be used for municipal purposes from the Truckee Canal after diversion from Derby Dam.

13. Miscellaneous remarks:
The source of the water stored in Lake Tahoe, Boca Reservoir, Prosser Creek Reservoir, Stampede Reservoir, Donner Reservoir, and Derby Dam pursuant to the permit to be issued under Primary Application.

lpatton@CityofFernley.org
E-mail Address

(775) 784-9920
Phone No.

By

Lowell Patton
~~Type or~~ print name clearly

Signature, applicant or agent

Director, City of Fernley Public Works Dept.
Company Name

595 Silver Lace Blvd.
Street Address or P.O. Box

Fernley, Nevada, 89408
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Revised 11-07

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application No. 78034:

Lake Tahoe:

Within the NE ¼ of the NW ¼ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South 29° 09' 30" West a distance of 5,182 feet, more or less. The storage capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE ¼ of the NE ¼ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South 04° 07' 14" East a distance of 2,981 feet, more or less. The storage capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW ¼ of the SW ¼ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 30 bears South 22° 58' 48" West a distance of 2,006 feet, more of less. The storage capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE ¼ of the SW ¼ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South 81° 05' 07" West a distance of 2,647 feet, more or less. The storage capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW ¼ of the NW ¼ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North 36° 08' 27" West a distance of 636 feet, more or less. The storage capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N ½ of the SW ¼ of Section 19, T. 20N., R. 23E., M.D.M.

Attachment "B"

Proposed Place of Use - See the map filed with Application No. 78034:

T. 20 N., R. 24 E., M.D.B.&M.

Portion of Section 9 and 10, Sections 11, 12, 13, 14 and 15;
Portion of Sections 16,17, and 20, Sections 21, 22, 23, 24, 25, 26, 27, and 28;
Portion of Sections 29, 30 and 31, Sections 32, 33, 34, 35 and 36.

T. 20 N., R. 25 E., M.D.B.&M.

Sections 1, 2, and 3;
Portion of Sections 4 and 5, Sections 7 through 36.

T. 20 N., R. 26 E., M.D.B.&M.

Portion of Section 5, Sections 6 and 7;
Portion of Sections 8 and 17, Section 18 and 19;
Portion of Sections 20 and 29, Sections 30 and 31;
Portion of Section 32.

T. 21 N., R. 25 E., M.D.B.&M.

Portion of Sections 13, 23, and 24, Section 25;
Portion of Sections 26, 27, 28 and 33, Sections 34, 35, and 36.

T. 21 N., R. 26 E., M.D.B.&M.

Portion of Sections 5, 7 and 8, Section 17;
Portion of Section 18, Sections 19, 20, 29, 30, 31, and 32.

T. 22 N., R. 26 E., M.D.B.&M.

Portion of Sections 28, 32, 33.

T. 19 N., R. 25 E., M.D.B.&M.

All of Sections 1 through 36.

T. 19 N., R. 24 E., M.D.B.&M.

Sections 1, 2, 3, 4, and 5;
Portion of Section 6, Sections 7 through 36.

T. 19 N., R. 23 E., M.D.B.&M.

Portion of Sections 1, 12, 13, 14, and 23, Section 24 and 25;
Portion of Sections 26, 27, and 34, Sections 35 and 36.

Note: In addition to the above described Place of Use, it is the intent of these applications to provide water service to the entire City of Fernley utilities service area as determined by the City of Fernley.