SECONDARY Application No. 78353 - S02

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 180.0 ACRE FEET (One second foot equals 448.83 gallons per minute.) second feet.
   (a) If stored in reservoir give number of acre-feet 180.0 ACRE FEET
3. The water to be used for Wildlife 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) See Attachment "A"
   (d) Power:
      (1) Horsepower developed _____
      (2) Point of return of water to stream _____

78353SQ

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.)
Described in Attachment "B"

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)
Within the Truckee River system extending from the reservoirs listed in Attachment "B" to the point of discharge into Pyramid Lake as shown on the map filled under 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 "B" 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.)

13. Miscellaneous remarks:
The source of the water stored in Lake Tahoe, Boca Reservoir, Prosser Creek Reservoir, Stampede Reservoir, and Donner Lake pursuant to the permit to be issued under Primary Application. Also see attachment "A" for additional remarks.

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(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"

Item 4 (a)

This application is filed as part of the implementation of the operating agreement as described in Section 205 (a) of Title II of Public Law 101-618, which is referred to as the Truckee River Operating Agreement. This secondary application is filed for permission to use for wildlife purposes water stored pursuant to the Primary Application at the places of use described herein. It is one of three applications for secondary permits to be issued under the Primary Application. The quantity of water which may be released and used from storage under this and related secondary permits in any one year will not exceed the amounts allowed by the Truckee River Operation Agreement. The water released from one of more of the reservoirs described in Attachment "B" may be used for wildlife purposes within the limits of the natural stream bed and banks of the Truckee River from the existing reservoirs to Pyramid Lake.

Attachment "B"

The Proposed Points of Diversion are shown on the map filed with Application Number 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.