



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: CONSTRUCTION
Period of Use: AS DECREED
Priority Date: AS DECREED

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 607, Truckee River 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 at the point of diversion and accurate measurements of water placed to beneficial use must be kept and reported to the Federal Water Master at the frequency required by the Federal Water Master.

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

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 **December 31, 2009**, at which time all rights herein granted shall revert to the right being changed by this temporary permit.

This temporary permit is issued subject to the availability of water as determined by the Federal Water Master and subject to the continuing jurisdiction and regulation by the Federal Water Master.

(Continued on Page 2)

The approval of this temporary permit reduces the duty of water of Temporary Permit 78043T by 97.0 acre feet and further reduces the total combined duty of Temporary Permits 78041T, 78042T and 78043T by the same 97.0 acre feet.

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 the decreed cubic feet per second or 97.0 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 4th day of August, A.D. 2009

Tracy Taylor, P.E.
State Engineer

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	<u>JUL 14 2009</u>
Returned to applicant for correction	_____
Corrected application filed	_____ Map filed <u>JUL 14 2009</u>

The applicant The Board of Regents, University of Nevada System
2601 Enterprise Road of Reno
Street Address or PO Box City or Town
Nevada 89512 hereby make(s) application for permission to change the
State and ZIP Code

- Point of diversion Place of use Manner of use of a portion

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

Claim 607 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.

- The source of water is Truckee River
Name of stream, lake, underground, spring or other sources.
- The amount of water to be changed up to 97.0 AFA and a prorata share of the diversion rate
Second feet, acre-feet. One second foot equals 448.83 gallons per minute.
- 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
- The water heretofore used for As Decreed
If for stock, state number and kind of animals.
- 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.)
The NW¼ SW¼ Section 11, T. 19 N., R. 21 E., MDM, or at a point from which the SW corner of said Section 11 bears S. 02° 26' 25" W., a distance of 1,376 feet.
- The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
The SE¼ SE¼ Section 7, T. 19 N., R. 20 E., MDM, or at a point from which the NE corner of said Section 7 bears N. 3° 25' E., 4795.00 feet (Pioneer Ditch)

83-51

7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)

Portions SW¼ SE¼, E½ SE¼ Sec. 10; SW¼ NW¼, W½ SW¼, NE¼ SW¼ Sec. 11; N½ NE¼, NE¼ NW¼ Sec. 15, all in T.19N., R.21E., 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.)

134.17 acres within a portion of the W½SW¼ Section 14, portions of the E½SE¼ and the SW¼SE¼ Section 15, portion of the W½NE¼ Section 22, T.19 N., R.20 E., MDM (113.01 acres from APN 21-030-06 and 21.16 acres from APN 21-030-23, as shown on Truckee River Map TR-046)

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

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

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 temporary pump and standpipe installed in river channel to pump to water trucks for hauling to grading and construction site.

12. Estimated cost of works at least \$5,000.00

13. Estimated time required to construct works 1 month

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 5 months

15. 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.)

See Attachment

16. Miscellaneous remarks:

brian@rci-nv.com

E-mail Address

(775) 883-1600

Phone No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

Brian A. Randall, P.E.

Type or print name clearly

Brian A. Randall

Signature, applicant or agent

RESOURCE CONCEPTS, INC.

Company Name

340 N. Minnesota St.

Street Address or PO Box

Carson City, NV 89703

City, State, ZIP Code

STATE ENGINEER OFFICE
2009 JUL 14 PM 3:24

ATTACHMENT TO TEMPORARY APPLICATIONS TO CHANGE TRUCKEE RIVER
DECREE CLAIM 607

Item 15. Proposed Project Description

This application is being filed to temporarily change a portion of Claim 607, proposed to be diverted from a new point of diversion by a temporary pump in the Truckee River. The water is to be used for dust control and construction purposes for rehabilitation of natural vegetation, and for the relocation of an existing buried jet fuel pipeline. Water will be delivered and applied to the project site by water truck. The projected water use of 97 ac-ft is based on an estimated delivery demand using three 4000-gal. trucks at a rate of 2 loads per hour per truck for 10-hour work days and 6-day weeks for the period of August through December, 2009.

This is part of The Nature Conservancy's continuing efforts at the Mustang 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.

The water sought by this application will be utilized in conjunction with the 350 AFA currently allowed under three existing Temporary Permits 78041T, 78042T and 78043T, which were issued to temporarily move water from the University's Main Farm area to be used for the ongoing rehabilitation effort by The Nature Conservancy at the downstream McCarran Ranch site. Although the Point of Diversion and Place of Use under this application is different from those allowed under Temporary Permits 78041T-78043T, the total combined duty of water diverted to use at the two sites will not exceed 350 AFA. It is understood that:

- The temporary diversion and acre-foot duty sought under this application will revert from Temporary Permit 78043T back to Decree Claim 607 prior to issuance of this temporary permit.
- The diversion rate and acre-foot duty allowed under existing Temporary Permit 78043T will be reduced by the amount of the diversion rate and duty allowed under this application, and that
- The total combined duty allowed under Temporary Permits 78041T-78043T will be reduced by the duty allowed under this application.

It is also understood that water to be changed by this application is to be subject to the availability of water as determined by the Federal Water Master.

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 this application, along with Permit 78041T, 78042T and 78043T propose the removal of 53.78 acres and 134.81 acres from the irrigated areas under Claims 601 and 607, the duty proposed for transfer will be limited to 350 AFA as allowed under lease by The Nature Conservancy for the Truckee River restoration projects.

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