Permit No. 80070

THE STATE OF NEVADA

PERMIT TO CHANGE THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Name of Permittee:	**CITY OF FERNLEY**
Source:	**TRUCKEE RIVER**
Basin:	**TRACY SEGMENT**
Manner of Use:	**MUNICIPAL**
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 permit, to change the place and manner of use of a portion of the waters of the Truckee River as set forth under the Claim Number 3 in the 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.

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

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

The period of use of this permit is limited to that portion of the irrigation season that Truckee River Claim 3 would be in priority to receive water.

This permit is expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due the same as if the water were still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (b).

This permit is subject to the allocation percentage during the season of the water rights of the Truckee Division of the Truckee Carson Irrigation District that is set for the season.

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 3.465 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-Filed Under 60692 on February 21, 1996**
Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **March 21 2023**
Map in support of proof of beneficial use shall be filed on or before: **N/A**

IN TESTIMONY WHEREOF, I, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 21st day of **March, 2013**

P.E.

State Engineer

Application No. 80070

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 AUG 0 6 2010

Returned to applicant for correction

Corrected application filed Map filed SEP 2 0 2004 under 7 1 3 8 2

The applicant CITY OF FERNLEY

595 SILVERLACE BLVD (Street Address or PO Box) of FERNLEY (City or Town)

NEVADA, 89408 (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 rights by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and identify right in Decree.)

TRUCKEE RIVER DECREE CLAIM #3, UNITED STATES OF AMERICA VS. ORR WATER DITCH CO., ET. AL. IN EQUITY A-3, FEDERAL DISTRICT COURT OF NEVADA

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 3.465 ACRE-FEET
   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for MUNICIPAL & DOMESTIC
   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.)
   DERBY DAM BEING LOCATED IN THE N 1/2 SW 1/4, SECTION 19, T. 20 N., R. 23 E., M.D.B.&M

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   UNCHANGED

83-ST

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

SEE ATTACHMENT "A".
FOR MAP OF PROPOSED POU - USE MAP ON FILE UNDER 71382

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.)

0.36 acres [APN 21-141-38, TCID Serial No. 1029-1-A] and 0.25 acres [APN 21-141-05, TCID Serial No. 1029-1], both located in the SE 1/4 SW 1/4, Section 14, Township 20 North, Range 24 East, M.D.B.&M. and 0.16 acres [APN 20-193-05, TCID Serial No. 1026-A-56-F] in the NW 1/4 SW 1/4, Section ~~12~~ 13, Township 20 North, Range 24 East, M.D.B.&M.

9. Proposed use will be from 1/1 (Month and Day) to 12/31 (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.)

DIVERSION DAM, TRUCKEE CANAL, SURFACE WATER TREATMENT PLANT & DISTRIBUTION LINES

12. Estimated cost of works 10 MILLION

13. Estimated time required to construct works 5 YEARS

If well completed, describe well.

14. Estimated time required to complete the application of water to beneficial use 10 YEARS

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.)

THE SURFACE WATER WILL BE DIVERTED TO A TREATMENT FACILITY MEETING THE REQUIRMENTS OF THE US EPA SURFACE WATER RULE. THE FINISHED WATER WILL BE BLENDED WITH GROUNDWATER PRODUCING A PRODUCT MEETING THE SAFE DRINKING WATER ACT. ALTERNATELY, THE SURFACE WATER MAY BE DIVERTED TO A RECHARGE BASIN FOR AQUIFER STORAGE.

16. Miscellaneous remarks:

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STATE ENGINEER'S OFFICE

Shari Whalen PE, City Engineer
Type or print name clearly

Signature, applicant or agent

City of Fernley
Company Name

595 Silver Lace Blvd.
Street Address or PO Box

Fernley, NV 89408
City, State, ZIP Code

swhalen@cityoffernley.org
E-mail Address

(775) 784- 9910
Phone No.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

Revised 07/09 $200 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: October 26, 2010, by the Pyramid Lake Paiute Tribe of Indians

ORIGINAL

71382

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ATTACHMENT A

PROPOSED PLACE OF USE:

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

Portion of Sections 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, Sections 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 and 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, Sections 24 and 25;
Portion of Sections 26, 27 and 34, Sections 35 and 36.

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STATE ENGINEER'S OFFICE