Permit No. 81598T

TEMPORARY

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:	**OTHER**
Period of Use:	**EXPIRES NOVEMBER 15, 2012**
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 place and manner of use of a portion of the waters of the Truckee River as heretofore granted under Permit 67449 which changed the place and manner of use of a portion of Claim No. 3, 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. A suitable measuring device must be installed and accurate measurements of water placed to beneficial use must be kept.

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 **November 15, 2012**, at which time all rights herein granted shall revert to the right being changed by this temporary permit.

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

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 682.71 acre-feet annually.**

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, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 18th day of **April**, A.D. **2012**

P.E.

State Engineer

TEMPORARY Application No. 81598 T

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 2 1 2012

Returned to applicant for correction _____

Corrected application filed _____ Map filed FEB 2 1 2012

The applicant City of Fernley

595 Silver Lace Blvd. City of Fernley (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.)

Portion of Permit 67449

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 682.71 acre-ft annually
   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Dust Control / Revegetation
   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 Municipal and Domestic
   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 located within the N½ SW¼ of Section 19, T. 20 N., R. 23 E., M.D.B.&M. (Truckee River at Derby Dam)

6. The existing point of diversion is located within (If point of diversion is not changed, do not answer.)
   No Change

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7. Proposed place of use (Describe by legal subdivisions. If for irrigation, state number of acres to be irrigated.)
227.57 acres @ duty of 3.0 acre-feet per acre. See Attachment "A". And attached supporting map(s).

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.)
Please see Attachment B for Existing Place of Use and map filed under 67449

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.)
Existing Ditches, Laterals & Head gates will be utilized for Flood Irrigation.

12. Estimated cost of works N/A

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

14. Estimated time required to complete the application of water to beneficial use N/A

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.)
This temporary application of water for dust control / re-vegetation of Swingle Bench. The use of City of Fernley's water for re-vegetation and dust control purposes arises out of an inter-local agreement dated July 11, 2007 between Churchill County and City of Fernley resolving and withdrawing Churchill's protest of Fernley's applications seeking to change the POU from land in Churchill County.

16. Miscellaneous remarks:
Re-vegetation Efforts will be coordinated with the Lahontan Natural Resource Conservation District. Refer to similar permit 78067T issued for the 2009 irrigation season, 79672T issued for the 2010 irrigation season and 80823T for 2011 irrigation season.

swhalen@cityoffernley.org
E-mail Address
775-784-9910
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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, Nevada 89408
City, State, ZIP Code

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 $150 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

ATTACHMENT B

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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Attachment "A"

2012 FERNLEY WATER USE - SWINGLE BENCH - HAZEN / REVEGETATION PARTICIPANTS

APN	TCID SR# or PERMIT	OWNER	APN ACREAGE (ACRES)	ACREAGE STRIPPED (ACRES)	1/4 1/4	SEC.	TWN	RNG	DEMAND @ 3.0 AF/AC (AFS)	STRIPPED BY ENTITY & PERMIT #
007-111-51	378-A-1	Van Batchelder	18.64	12.54	S½ NW¼	8	19N	27E	37.62	LGOC - 70934
007-141-29	372-2	Delton Crandell	15.09	13.29	SW¼ NE¼	7	19N	27E	39.87	PLIT - 77421
007-141-64	372	Janet Lee Hannah	21.86	15.93	Pos. S½ N½	7	19N	27E	47.79	PLIT - 77421
007-191-40	409 & Permit 47810	Larry & Barbara Steele	78.45	68.30	S½ NW¼	17	19N	27E	204.90	LGOC - 70934
007-191-60	407	Holly Bute	19.91	17.70	NW¼ NE¼	17	19N	27E	53.10	LGOC - 70934
007-111-47	377	Sean Watkins	10.00	10.00	S½ SW¼	8	19N	27E	30.00	LGOC - 70934
007-141-21	372-10	K. Dale Groves	3.84	1.91	SE¼ NE¼	7	19N	27E	5.73	LGOC - 70934
007-111-29	375-A	Joanie Wenger	28.84	21.25	SW¼ SE¼	8	19N	27E	63.75	Fernley - 73161
007-111-07	377-2	Lois Price	8.00	6.90	SW¼ SW¼	8	19N	27E	20.70	LGOC - 70934
007-141-84	372-1-C	Steven Ceresola	10.23	9.75	SE¼ NE¼	7	19N	27E	29.25	PLIT - 77421
007-191-61	407-1	Harold Fife	14.60	14.60	NW¼ NE¼	17	19N	27E	43.80	PLIT - 77421
009-271-11	841	Karyn Reese Bennett	40.00	35.40	SE¼ NW¼	34	20N	26E	106.20	Fernley - 73245
		TOTAL:	**274.77**	**227.57**					**682.71**	

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