Permit No. 84356S02

SECONDARY PERMIT

THE STATE OF NEVADA

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

Name of Permittee:	**PYRAMID LAKE PAIUTE TRIBE**
Source:	**STREAM (TRUCKEE RIVER)**
Basin:	**TRUCKEE CANYON SEGMENT**
Manner of Use:	**POWER**
Period of Use:	**JANUARY 1ST THROUGH DECEMBER 31ST**
Priority Date:	**09/16/2014**

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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 secondary permit is issued subject to the provisions of NRS 533.440. This permit is issued for incidental power generation purposes upon discharge from the upstream reservoirs identified in Exhibit B of the application and is subject to the terms and conditions under Primary Permit 84356. Any storage and transportation losses, as established by the administrator of the Truckee River Operating Agreement, must be deducted from the amount of water available for use under this secondary permit. This permit is issued subject to the continuing jurisdiction and regulation by the State Engineer and Federal Water Master.

This permit is issued subject to existing rights.

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 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 3,000 cubic feet per second or 477,851.0 acre-feet annually.**

Work must be prosecuted with reasonable diligence and proof of completion of work shall be filed on or before: **November 13 2020**

Water must be placed to beneficial use and proof of the application of water to beneficial use shall be filed on or before: **November 13 2025**

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 13th day of **November, 2015**

State Engineer

Application No. 84356 S-2

SECONDARY

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 SEP 16 2014

Returned to applicant for correction

Corrected Application filed _____ Map filed Oct 11 2007 under 76161

The applicant Pyramid Lake Paiute Tribe

P.O. Box 256 (Street Address or P.O. Box) of Nixon (City or Town)

Nevada 89424 (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.)

Item 1 Remark - Truckee River water stored in Lake Tahoe, Boca Reservoir, Prosser Creek Reservoir, Stampede Reservoir and Donner and Independence lakes pursuant to the permit to be issued under Primary Storage Application supporting this secondary application and numbered the same as referenced above.

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1. The source of the proposed appropriation is Truckee River (see Item 1 Remark directly above).
   Name of the stream, lake, underground, spring or other sources.
2. The amount of water applied for is per TROA (see Item 12 "Remarks" for explanation).
   One second foot equals 448.83 gallons per minute.
   (a) If stored in a reservoir give the number of acre-feet 477,851 acre-feet (see Item 12 "Remarks" for explanation).
3. The water is to be used for Power Generation
   Irrigation, power, mining, commercial, domestic or other use. Must be limited 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 See Exhibit "D" attached hereto and by this reference made a part hereof.
   (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.)

Described in Exhibit "A" attached hereto, after the water has been released from the reservoirs described in Exhibit "B" attached hereto.

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated)

Farad, Fleish, Verdi, and Washoe Hydroelectric Plants as described in Exhibit "C".

7. Use will begin about January 1 (Month and Day) and end about December 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 a pump and motor, etc.)

All works described in Exhibit "A" are complete.

9. Estimated cost of works: No costs are needed since the works are complete.

10. Estimated time required to construct works: Complete
(If the well is complete, describe works.)

11. Estimated time required to complete the application of water to beneficial use: Ten (10) years

12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

See Exhibit "E" attached hereto and by this reference made a part hereof.

Don Springmeyer, Esq.
Type or print name clearly

Signature, applicant or agent

Agent for Pyramid Lake Paiute Tribe
Company Name

3556 E. Russell Road
Street Address or PO Box

Las Vegas, Nevada 89120
City, State, ZIP Code

dspringmeyer@wrslawyers.com
E-mail Address

(702) 341-5200
Phone No.

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

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$300 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Revised 07/09 - secondary

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EXHIBIT "A"

The proposed Points of Diversion are described as follows:

FARAD POWER FLUME:
Farad Power Flume is situate in the South ½ of Lot 6 (S ½ Lot 6) of Section 30, T. 18N., R. 18E., M.D.M., or at a point from which the northeast corner of Section 6, T.I8N., R. 18E., M.D.M., bear North 23° 02' 10" East, 25, 269.00 feet.

FLEISH POWER FLUME:
Fleish Power Flume is situate in the Northeast ¼ of the Southeast ¼ (NE ¼ SE ¼) of Section 6, T. 18N., R, 18E., M.D.M., or at a point from which the northeast corner of said Section 6 bears North *52°* 04' 08" East, 5,097.00 feet.

VERDI POWER DITCH & FLUME:
Verdi Power Ditch and Flume is situate in the SE ¼ SE ¼ of Section 19, T. 19N., R. 18E., M.D.M., or at a point from which the southeast corner of said Section 19 bears South 39° 58' East, 845.00 feet.

WASHOE POWER DITCH:
Washoe Power Ditch is situate in the NW ¼ NE ¼ of Section 16, T. 19N., R. 18E., M.D.M., or at a point from which the northeast corner of said Section 16 bears North 87° 35' 00" East, 2,004.0 feet.

Each Point of Diversion is shown on the map filed with Amended Primary Application No. 76161.

EXHIBIT "B"

The Proposed Points of Diversion (Dam) are shown on the map filed with Amended Application No. 73783 and the storage capacity (AF) and maximum outlet capacity (cfs) for each Storage Reservoir are as follows:

Lake Tahoe:
Situate in 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 with a maximum outlet capacity of 2,500 cfs.

Donner Lake:
Situate in 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 approximately 9,500 AF with a maximum outlet capacity of 660 cfs.

Prosser Creek Dam (Reservoir):
Situate in 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 or less. The storage capacity of Prosser Creek Reservoir is approximately 29,840 AF with a maximum outlet capacity of 1,850 cfs.

Boca Dam (Reservoir):
Situate in 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 with a maximum outlet capacity of 1,200 cfs.

Stampede Dam (Reservoir):
Situate in 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 with a maximum outlet capacity of 2,740 cfs.

Independence Lake Dam:
Situate in the NW ¼ of the SW ¼ of Section 35, T. 19N., R. 15E., M.D.M., or from the Dam the Southwest corner of said Section 35 bears South 20° 06' 47" West a distance of 1,945 feet, more or less. The storage capacity of Independence Lake is approximately 17,500 AF with a maximum outlet capacity of 540 cfs.

EXHIBIT "C"

The Proposed Place of Use of the Hydroelectric Generation Plants are described as follows:

Farad Hydroelectric Generation Plant:
Situate in the Southeast ¼ (SE ¼) of Section 12, T. 18N., R. 17E., M.D.M.

Fleish Hydroelectric Generation Plant:
Situate in the Northeast ¼ of the Southeast ¼ (NE ¼ SE ¼) of Section 30, T. 19N., R. 18E., M.D.M.

Verdi Hydroelectric Generation Plant:
Situate in the Southeast ¼ (SE ¼) of Section 8, T.19N., R. 18E., M.D.M.

Washoe Hydroelectric Generation Plant:
Situate in the Southwest ¼ of the Southwest ¼ (SW ¼ SW ¼) of Section 14, T.19N., R. 18E., M.D.M.

Each Hydroelectric Generation Plant is shown on the map filed with Amended Primary Application No. 76161.

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EXHIBIT "D"

This secondary use is a non-consumptive use which will be incidental to the use of water released under the other Secondary Permit numbered the same as this secondary permit. The quantity released under the other Secondary Permit and other water in the River will be used to allow incidental hydroelectric generation at one or more of the four hydro generation plants, Farad, Fleish, Verdi or Washoe. Water will be diverted at one or more of the four hydroelectric generation plants' Points of Diversion listed in Exhibit "A" and allowed to flow to each plant through the penstock to the generating facility and returned back to the river at each plant location. The horsepower generated depends on the flow diverted. Listed below is the minimum and maximum horsepower each plant can generate at a maximum and minimum rate of flow diverted.

Plant	Maximum	Minimum
Farad	400 cfs (3,862 hp)	100 cfs (701 hp)
Fleish	327 cfs (3,640 hp)	100 cfs (798 hp)
Verdi	399 cfs (3,321 hp)	100 cfs (774 hp)
Washoe	396 cfs (2,823 hp)	100 cfs (731 hp)

EXHIBIT "E"

12. Remarks

This application is filed as part of the implementation of the operating agreement described in Section 205(a) of Public Law 101-618, which operating agreement is referred to as the Truckee River Operating Agreement. The quantity of water released and the release rate from storage under this and related secondary permits in any one year will not exceed the amounts allowed by the Truckee River Operating Agreement. The water released under the other Secondary Permit numbered the same as this secondary permit may be diverted and used for incidental hydroelectric power generation under this Secondary Permit and in accordance with the Truckee River Operating Agreement. Water used would be returned to the Truckee River for use under the secondary permit under which this water was released.

Any secondary permit issued under this application shall enter into effect simultaneously with the entry into effect of the Truckee River Operating Agreement.