Permit No. 84367

SECOND AMENDED

THE STATE OF NEVADA

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

Name of Permittee:	**WASHOE COUNTY, CITY OF RENO AND CITY OF SPARKS**
Source:	**STREAM (TRUCKEE RIVER)**
Basin:	**TRUCKEE CANYON SEGMENT**
Manner of Use:	**STORAGE**
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 primary permit is issued under the authority of NRS 533.440 (secondary applications are required for the use of the stored water) and is only a temporary allowance. The final water right obtained will be dependent upon the amount of water actually placed to beneficial use under the secondary permits. Accurate measurements of the storage water that is discharged must be recorded. The State retains the right to regulate the use of water herein granted at any and all times. This permit is subject to the continuing jurisdiction and regulation by the State Engineer and the Federal Water Master.

This primary permit, to change the point of diversion, place and manner of use of the waters of the Truckee River as heretofore granted under Permit 71667 and Permit 71668, which changed the point of diversion, place and manner of use of a portion of Claims 280 and 337/338, of the Truckee River Decree, along with changing the point of diversion, place and manner of use of Permit 84059, which changed the point of diversion, place and manner of use of Permit 67854, which changed the point of diversion, place and manner of use of a portion of Claim 329, of the Truckee River Decree, and Permit 84065, which changed the point of diversion, place and manner of use of Permit 67983, which changed the point of diversion, place and manner of use of a portion of Claim 329, of the 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 diverted into storage and released from storage must be recorded.

A monthly report shall be submitted to the State Engineer and the Federal Water Master within 10 days from the end of each month and shall include the amount of water diverted into storage and the amount of water used under each secondary permit.

This permit is hereby issued and becomes effective upon proof that TROA is fully implemented. The base right to this permit remains in full force and effect until such time that this permit becomes effective.

No more than 25 percent of any water right can be taken into storage in any one month.

(Continued on Page 2)

This permit is issued contingent upon the permittee obtaining a storage contract to store the water in upstream facilities.

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.

The amount of water to be diverted shall be limited to the amount which can be applied to beneficial use, **and not to exceed 0.0208 cubic feet per second, but not to exceed 3.485 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, JASON KING, P.E.,

State Engineer of Nevada, have hereunto set my hand and the seal of my office, this 19th day of **November, 2015**

J. K. P.E.

State Engineer

See Amended Permit

Permit No. 84367

THE STATE OF NEVADA

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

Name of Permittee:	**WASHOE COUNTY, CITY OF RENO AND CITY OF SPARKS**
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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 primary permit is issued under the authority of NRS 533.440 (secondary applications are required for the use of the stored water) and is only a temporary allowance. The final water right obtained will be dependent upon the amount of water actually placed to beneficial use under the secondary permits. Accurate measurements of the storage water that is discharged must be recorded. The State retains the right to regulate the use of water herein granted at any and all times. This permit is subject to the continuing jurisdiction and regulation by the State Engineer and the Federal Water Master.

This primary permit, to change the point of diversion, place and manner of use of the waters of the Truckee River as heretofore granted under Permit 71667 and Permit 71668, which changed the point of diversion, place and manner of use of a portion of Claims 280 and 337/338, of the Truckee River Decree, along with changing the point of diversion, place and manner of use of Permit 84059, which changed the point of diversion, place and manner of use of Permit 67854, which changed the point of diversion, place and manner of use of a portion of Claim 329, of the Truckee River Decree, and Permit 84064, which changed the point of diversion, place and manner of use of Permit 67981, which changed the point of diversion, place and manner of use of a portion of Permit 11489, Certificate 4827, which changed the point of diversion of Claim 236, of the 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 diverted into storage and released from storage must be recorded.

A monthly report shall be submitted to the State Engineer and the Federal Water Master within 10 days from the end of each month and shall include the amount of water diverted into storage and the amount of water used under each secondary permit.

This permit is hereby issued and becomes effective upon proof that the Orr Ditch Decree has been amended and TROA is fully implemented. The base right to this permit remains in full force and effect until such time that this permit becomes effective.

(Continued on Page 2)

No more than 25 percent of any water right can be taken into storage in any one month under a reduced diversion rate proportional to the consumptive and non-consumptive portions of the water.

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.

The amount of water to be diverted shall be limited to:

- For Water Treatment Plants - The entire amount, **5.65 acre-feet at a diversion rate of 0.0258 cubic feet per second when not diverted into the upstream reservoirs,** may be directly diverted into the water treatment plants to satisfy a secondary application for municipal use.

OR

- **For Upstream Reservoirs (Exhibit A)** - Only the consumptive use portion of the original decreed water right may be diverted for storage into these reservoirs. The consumptive use portion available for diversion under this permit, based on 2.50 acre-feet per acre, **is 3.505 acre feet, at a diversion rate of 0.0160 cubic feet per second.** The remainder of 2.15 acre-feet at a diversion rate of 0.0098 cubic feet per second, must remain in the river and be available to downstream users.

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 27th day of **February, 2015**

P.E.

State Engineer

Application No. 84367

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 SEP 18 2014

Returned to applicant for correction

Corrected application filed Map filed Feb 17 2006 under 73783

The applicant Washoe County, City of Reno and City of Sparks, as tenants in common as to 1/3 undivided interest each

P.O. Box 11130 (Street Address or PO Box) of Reno (City or Town)

NV 89520-0027 (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.)

Permit 71667 (0.0048 cfs, 1.075 afa),Permit 71668 (0.006 cfs, 0.925 afa), Application 84059 (0.007 cfs, 1.075 afa, being the consumptive duty),Application 84064 (0.003 cfs, 0.4 afa, being the consumptive duty)

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 0.0208 cfs, 3.475acre-feet
   Second feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Storage with secondary beneficial uses as allowed by the TROA
   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 Wildlife
   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.)

The PODs associated with reservoirs identified in Exhibit "A" or the decreed POD for Derby Dam, where water will remain in the natural channel of the Truckee River without diversion at Derby Dam for storage in Pyramid Lake. Please refer to map filed under permit 73783 for the location of the reservoirs and the Truckee River decree maps for the Derby Dam.

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

All water rights above originate from, Orr Ditch, as decreed. NE 1/4 SW 1/4 Section 17, T. 19., R. 19 E., MDB & M. Also all the TMWA municipal PODs as described in attached Exhibit "C".

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

To be determined under secondary applications consistent with the TROA.

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.)

The Truckee River beginning at the Existing Points of Diversion, including Steamboat Canal the most upstream TMWA POD, and Orr Ditch, downstream to the Pyramid lake Inlet. (refer to map filed under permit 67182).

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.)

Storage reservoirs described in attached exhibit "A" and Derby dam and the natural channel of the Truckee River, all complete.

12. Estimated cost of works None

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

14. Estimated time required to complete the application of water to beneficial use TBD under secondary permits

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.)

Please refer to attached exhibit "B".

16. Miscellaneous remarks:

Please refer to attached exhibit "B".

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Vahid Behmaram
Type or print name clearly

Signature, applicant or agent

Washoe County Community Services Department
Company Name

P.O. Box 11130
Street Address or PO Box

Reno, NV 89520-0027
City, State, ZIP Code

vbehmaram@washoecounty.us
E-mail Address

(775)954-4647
Phone No. Ext.

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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

EXHIBIT "A"

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.

Pyramid Lake:
Point of Diversion for storage of this water in Pyramid Lake is Derby Dam as Decreed and shown in the Decree maps, where water will remain in the Truckee River for Storage in the Pyramids lake.

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EXHIBIT "B"

16. Remarks

This application is filed pursuant to the provisions of N.R.S. §533.515 in that it seeks to identify the reservoirs described in Exhibit A as the proposed points of diversion for the water rights described herein and would be the water that would have otherwise flowed to Pyramid Lake, and which water rights have points of diversion in the State of Nevada. This application is also filed as part of the implementation of the operating agreement described in Section 205(a) of Public Law 101-618, TROA, and the Water Quality Settlement Agreement (WQSA). Because of the provisions of California Water Code section 1231 and 1232, California will recognize any permits issued by the Nevada State Engineer based upon this application. Therefore, it is within the jurisdiction of the Nevada State Engineer to approve this application allowing for storage of these Nevada water rights in California.

Water diverted to storage under a permit issued hereunder will be and is the subject of applications for secondary permits for beneficial uses allowed by the Truckee River Operating Agreement (TROA) and WQSA at the places allowed by those Agreements. The amount of water diverted to storage under a permit issued hereunder in any one year will not exceed 0.0208 cfs but not to exceed 3.475 afa for water rights currently under Permit No. 71667, 71668, Applications 84059,& 84065. The amount of water under a permit issued hereunder which may be in storage at any one time and which may be released and used from storage in any one year will not exceed the amounts allowed by the Truckee River Operating Agreement.

The water released from one of the listed up-stream reservoirs may be re-diverted or exchanged into any of the other listed reservoirs in Exhibit "A".

Under conditions where storage of this water in the upstream storage reservoirs is not desired or warranted, water will remain in the Truckee River for the purpose of storage in Pyramid Lake, at which case this quantity of water will remain in the River flowing past Derby Dam to Pyramid Lake. If the water under the water right described herein is not diverted to upstream storage, the full amount of the water will continue to flow to Pyramid Lake for storage and beneficial use within Pyramid Lake.

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

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EXHIBIT "C"

The following describes the multiple points of diversion for Truckee Meadows Water Authority Water Treatment Plants, which are shown on the map accompanying Application No. 71606 on file with the State of Nevada, Division of Water Resources, more particularly described as follows:

STEAMBOAT CANAL (HUNTER CREEK RESERVOIR):

The existing point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE ¼ SW ¼) of Section 31, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 31 bears South 62°04' East, a distance of 3,195.00 feet.

HIGHLAND DITCH (HIGHLAND RESERVOIR):

The existing point of diversion is situate within the Southwest one-quarter of the Southeast one-quarter (SW ¼ SE ¼) of Section 9, T.19N., R.18E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 9 bears South 75°16' East, a distance of 1,650.00 feet.

IDLEWILD TREATMENT PLANT:

The existing point of diversion is situate within the Southeast one-quarter of the Southeast one-quarter (SE ¼ SE ¼) of Section 10, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Southeast corner of said Section 10 bears South 69°57'58" East, a distance of 842.34 feet.

NORTH TRUCKEE DITCH (GLENDALE TREATMENT PLANT):

The existing point of diversion is situate within the Southwest one-quarter of the Northeast one-quarter (SW ¼ NE ¼) of Section 7, T.19N., R.20E., M.D.B.&M., Washoe County, Nevada, from said point of diversion, the Northeast corner of said Section 7 bears North 39°28' East, a distance of 3,015.00 feet.

ORR DITCH PUMP STATION (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southeast one-quarter (NE ¼ SE ¼) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion the Northeast corner of said Section 17 bears North 15°39'36" East, a distance of 3,264.77 feet.

ORR DITCH (CHALK BLUFF TREATMENT PLANT):

The point of diversion is situate within the Northeast one-quarter of the Southwest one-quarter (NE ¼ SE ¼) of Section 17, T.19N., R.19E., M.D.B.&M., Washoe County, Nevada, from said point of diversion the Southwest corner of said Section 17 bears South 44°40' West, a distance of 3,211.00 feet.

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