

Truckee River Hearing

Scheduled to commence
Wednesday, July 21, 2010

EXHIBIT IDENTIFICATION INDEX

Party: City of Fernley

Exhibit Identification Number	Exhibit Description	Status of Evidence		
		Introduced	Accepted	By Official Notice
1	Resume of Greg Evangelatos			
2	Application No. 78034; Application Nos. 78338 – 78357 and attached maps; secondary upstream Application for 78338 also attached (78338 S01 – S03).			

Exhibit “1”

Greg Evangelatos AICP

1365 Hilltop Road
Reno, Nevada 89509

Home: (775) 825-3032
Cell: (775)-302-6023
ggevangelatos@fastmail.fm

Qualifications Summary

Seasoned professional manager with in-depth experience in both the public and the private sector. Strong executive skill set currently in local municipal government as a city manager. Professionally trained as a Certified City Planner with 20 years of regional and municipal planning experience with 8 years as a Director of Community Development. Small Business Owner for 8 years with upwards of 40 employees.

Career Experience

City of Fernley, Nevada
City Manager

January 2009-Present

Responsible for the administrative and operational functions of a municipality consisting of 19,000 residents. In-charge of oversight of public works, community development, parks and recreation, city attorney, city clerk and finance departments with 59 employees and a budget of approximately 12 million dollars. Was appointed during economic crisis with \$455,000 shortfall demanding reduction in expenditures, lay-offs and freeze of all vacant positions. Brought the 2008-2009 Budget into balance at close of fiscal year and have continued the trend with 2009-2010 current budget with \$150,000 surplus. Promoted the development and securing of 14 million in federal dollars with grant applications totaling 43 million dollars. Pursued economic development with 31 million in construction in the community under way.

Private Consultant/Real Estate Agent

September 2007-January 2009

Sole Proprietor-Real Estate Agent representing numerous private clients in a variety of land use cases before various boards and commissions. Real Estate activities include marketing and sales of raw and developed land

Centex Homes
Director of Forward Planning and Entitlement

January 2005-August 2007

Director of Forward Planning and Entitlement involving the securing of approvals and entitlements for a variety of projects from in-fill to entire New Towns ranging from 900 acres to 2,200 acres. This effort involved the coordination of consultants, determination

of land use and product mix, infrastructure sizing and costs, governmental coordination, political approvals, etc.

Landmark Communities
Land Planning Manager

February 2003-January 2005

Responsible for approvals and Master Planning activities for a large (2,200 acre) planned community and several smaller developments. Activities included due diligence on at least 20 projects, coordination of consultants, approval at the Planning Commission, County Commission and City Council level.

FPE-Planning and Engineering
Vice President-Principal Planner

January 1995-February 2003

Responsible for business development, oversight of planning and entitlement process, coordination of planning and landscape architecture division. Numerous representations of public and private clients including the Cities of Reno, Sparks, Washoe County, City of Fernley, Washoe County School District, Northern Nevada Medical Center, St. Mary's Hospital, Albertson's Grocery Stores, Lakemont Homes, Silver Club, Wingfield Springs, etc. Oversaw over 40 employees and did business often exceeding 4 million dollars on a yearly basis.

City of Sparks
Community Development Director
Principal Planner, Senior Planner
Zoning Officer

May 1978-January 1995

Extensive career in municipal planning with the City of Sparks culminating with the final 8 years as Community Development Director supervising 12 professionals and paraprofessionals. Responsible for the creation of zoning and code enforcement program, securing over 10 million dollars in state and federal grants, two phases of downtown redevelopment, and the development of the Spanish Springs Sphere of Influence Plan that has facilitated billions of dollars of investment in housing and commercial development as well as infrastructure.

Education

Bachelors of Political Science- University of California at Los Angeles
Masters of Regional and City Planning- University of Oklahoma
American Institute Certified Planner
Member of the International City Managers Association

Exhibit “2”

**PRIMARY [Amended]
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 19 2009**.....

Returned to applicant for correction.....

Corrected application filed..... Map filed **FEB 26 2009**.....

The applicant.....**CITY OF FERNLEY**.....

.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**..., NEVADA **89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under ..**Permit 56226**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**207.67 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within... **Derby Dam being located in N1/2 SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.

7. Proposed place of use.....**The beneficial place of use will be set forth in applications for secondary permits consistent with the Truckee River Operating Agreement. The water stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

- 8. Existing place of use...**See Attachment "B" and map filed with application 56226**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- 9. Use will be from.....**1/1**.....to.....**12/31**.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....**1/1 to 12/31**.....
- 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.).... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction.**
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...N/A...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....

Print of type name clearly

Signature, applicant or agent

.....**595 Silver Lace Blvd**.....

Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....

City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

2009 FEB 26 09:11:41
STATE ENGINEER'S OFFICE

Protested: May 5, 2009, by the Pyramid Lake Paiute Tribe of Indians; May 8, 2009, by Churchill County

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application:

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

~~7. Proposed Place of Use~~ Existing Place of Use Permit 56226

REL

T20N, R24E, N.D.B. & M.

Portion Sections 9 and 10, Sections 11, 12, 13, 14 and 15,
Portion Sections 16, 17 and 20, Sections 21, 22, 23, 24, 25,
26, 27 and 28, Portion Sections 29, 30 and 31, Sections 32,
33, 34, 35 and 36.

T20N, R25E, N.D.B. & M.

Sections 1, 2 and 3, Portion Sections 4 and 5, Sections 7
through 36.

T20N, R26E, N.D.B. & M.

Portion Section 5, Sections 6 and 7, Portion of Section 8 and
17, Sections 18 and 19, Portion Section 20 and 29, Sections
30 and 31, Portion Section 32.

T21N, R25E, N.D.B. & M.

Portion Sections 13, 23 and 24, Section 25, Portion Section
26, 27, 28 and 33, Sections 34, 35 and 36.

T21N, R26E, N.D.B. & M.

Portion Sections 5, 7 and 8, Section 17, Portion Section 18,
Section 19, 20, 29, 30, 31 and 32.

T22N, R26E, N.D.B. & M.

Portion of Sections 28, 32 and 33.

T19N, R25E, N.D.B. & M.

All Sections 1 through 36

T19N, R24E, N.D.B. & M.

Sections 1, 2, 3, 4, and 5, Portion Section 6, Sections 7
through 36.

T19N, R23E, N.D.B. & M.

Portion Sections 1, 12, 13, 14 and 23, Sections 24 and 25,
Portion Sections 26, 27 and 34, Sections 35 and 36.

Attachment "C"

15. Remarks

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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... **APR 20 2009**

Returned to applicant for correction.....

Corrected application filed..... Map filed **FEB 26 2009** under **78034**

The applicant.....**CITY OF FERNLEY**.....

.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**....., **NEVADA 89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under **..Permit 74503**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**93.83 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.
5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing point of diversion is located within... **Derby Dam being located in N1/2 SW1/4, Section 19, T.20N., R.23E., MDB&M**...
If point of diversion is not changed, do not answer.
7. Proposed place of use.....**The beneficial place of use will be set forth in applications for secondary permits consistent with the Truckee River Operating Agreement. The water stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

sk-w-a

78338
Map under
71382 mm
4/24/09
74503 okay

8. Existing place of use...**See Attachment "B" and map filed with application** 74503 okay
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from.....**1/1**.....to.....**12/31**.....of each year.
Month and Day Month and Day

10. Use permitted from.....**1/1 to 12/31**.....

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.).... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works.....**\$50,000,000**.....

13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.

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

15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....

Print or type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....
Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

RECEIVED
2009 APR 20 PM 1:40
STATE ENGINEER'S OFFICE

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

ATTACHMENT B

PROPOSED PLACE OF USE:

T.19N, R.23E. M.D.B.&M.

Portion of sections 1, 12, 13, 14, and 23, sections 24 and 25;
Portions of sections 26, 27, and 34, sections 35 and 36.

T.19N, R.24E. M.D.B.&M.

Sections 1, 2, 3, 4, and 5.
Portion of section 6, sections 7 through 36.

T.19N, R.25E. M.D.B.&M.

All of sections 1 through 36.

T.20N, R.24E. 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, 26, 27, and 28;
Portion of sections 29, 30, and 31, sections 32, 33, 34, 35, and 36.

T.20N, R.25E. M.D.B.&M.

Sections 1, 2, and 3;
Portion of sections 4 and 5, sections 7 through 36.

T.20N, R.26E. M.D.B.&M.

Portion of section 5, sections 6 and 7;
Portion of sections 8 and 17, sections 18 and 19;
Portions of sections 20 and 28, sections 30 and 31;
Portion of section 32.

T.21N, R.25E. 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.21N, R.26E. M.D.B.&M.

Portion of sections 6, 7, and 8, section 17;
Portion of section 18, sections 19, 20, 29, 30, 31, and 32.

T.22N, R.26E. M.D.B.&M.

Portion of sections 28, 32, and 33.

Attachment "C"**15. Remarks**

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component of these Nevada water rights in California.

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The applicant.....**CITY OF FERNLEY**.....

.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**..., NEVADA **89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under **Permit 74482**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**52.47 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR
BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING
AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within... **Derby Dam being located in N1/2
SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.

7. Proposed place of use.....**The beneficial place of use will be set forth in applications for
secondary permits consistent with the Truckee River Operating Agreement. The water
stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir,
Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the
City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

78339

(map 71382)

- 8. Existing place of use...**See Attachment "B" and map filed with application 74482** *okay*
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- 9. Use will be from.....1/1.....to.....12/31.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....1/1 to 12/31.....
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State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...**N/A**...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley**
Public Works Department.....

Print or type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....

Street and No., or P.O. Box No.

.....**Fernley, NV 89408**

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**APPLICATION MUST BE SIGNED
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Attachment "A"

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Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

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Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

ATTACHMENT B

DATE

78339

T. 20 N. E. 24 E. MDB. & M.

Portions of Sections 9 and 10; Sections 11, 12, 13, 14 and 15; Portions of Sections 16, 17 and 20, Section 21, 22, 23, 24, 25, 26, 27 and 28; Portions of Sections 29, 30, 31, Sections 32, 33, 34, 35 and 36.

T. 20 N. E. 25 E. MDB. & M.

Sections 1, 2 and 3; Portions of Sections 4 and 5, Sections 7 through 36

T. 20 N. E. 26 E. MDB. & 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; Portions of Section 32.

T. 21 N. E. 25 E. MDB. & 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. E. 26 E. MDB. & M.

Portions of Sections 5, 7 and 8, Section 17; Portion of Section 18, Sections 19, 20, 29, 30, 31 and 32.

T. 22 N. E. 26 E. MDB. & M.

Portions of Sections 28, 32 and 33.

T. 19 N. E. 25 E. MDB. & M.

All of Sections 1 through 36

T. 19 N. E. 24 E. MDB. & M.

Sections 1, 2, 3, 4 and 5; Portion of Section 6, Sections 7 through 36.

T. 19 N. E. 23 E. MDB. & M.

Portions of Sections 1, 12, 13, 14 and 23, Sections 24 and 25; Portion of Sections 26, 27 and 34, Sections 35 and 36.

2005 JUL -6 11:30 AM

Attachment "C"

15. Remarks

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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.....	APR 20 2009
Returned to applicant for correction.....	
Corrected application filed.....	Map filed FEB 26 2009 under 78034

The applicant.....**CITY OF FERNLEY**.....

.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**....., NEVADA **89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under **..Permit 74481**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**328.32 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR
BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING
AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.
5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing point of diversion is located within... **Derby Dam being located in N1/2
SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.
7. Proposed place of use.....**The beneficial place of use will be set forth in applications for
secondary permits consistent with the Truckee River Operating Agreement. The water
stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir,
Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the
City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use...See Attachment "B" and map filed with application 74481
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. (See Map 71382)

9. Use will be from.....1/1.....to.....12/31.....of each year.
Month and Day Month and Day

10. Use permitted from.....1/1 to 12/31.....

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.).... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction.**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works.....\$50,000,000.....

13. Estimated time required to construct works.....2.0 YEAR.....
If well completed, describe well.

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

15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**

(775) 784-9920

Phone No.

By:.....Lowell Patton, Director, City of Fernley
Public Works Department.....
Print or type name clearly

.....
Signature, applicant or agent

.....595 Silver Lace Blvd.....
Street and No., or P.O. Box No.

.....Fernley, NV 89408

City, State, Zip Code

APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT

RECEIVED
2009 APR 20 PM 1:41
STATE ENGINEERS OFFICE

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

ATTACHMENT B

78340

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

Portions of Sections 9 and 10, Sections 11, 12, 13, 14 and 15; Portion of Sections 16, 17 and 20, Section 21, 22, 23, 24, 25, 26, 27 and 28; Portions of Sections 29, 30, 31, Sections 32, 33, 34, 35 and 36.

T. 20 N. E. 25 E. M.D.B. & M.

Sections 1, 2 and 3; Portions of Sections 4 and 5, Sections 7 through 36

T. 20 N. E. 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; Portions of Section 32.

T. 21 N. E. 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. E. 26 E. M.D.B. & M.

Portions of Sections 5, 7 and 8, Section 17; Portion of Section 18, Sections 19, 20, 29, 30, 31 and 32.

T. 22 N. E. 26 E. M.D.B. & M.

Portions of Sections 28, 32 and 33.

T. 19 N. E. 24 E. M.D.B. & M.

All of Sections 1 through 36

T. 19 N. E. 24 E. M.D.B. & M.

Sections 1, 2, 3, 4 and 5; Portion of Section 6, Sections 7 through 36.

T. 19 N. E. 23 E. M.D.B. & M.

Portions of Sections 1, 12, 13, 14 and 23, Sections 24 and 25; Portion of Sections 26, 27 and 34, Sections 35 and 36.

2006 JUL -6 PM 3:34
STATE OF MICHIGAN

Attachment "C"

15. Remarks

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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
APR 20 2009
Date of filing in State Engineer's Office.....
Returned to applicant for correction.....
Corrected application filed..... Map filed **FEB 26 2009** under
78034

The applicant.....**CITY OF FERNLEY**.....
.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**..., NEVADA 89408.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under **Permit 73846**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**68.63 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR
BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING
AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within... **Derby Dam being located in N1/2
SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.

7. Proposed place of use.....**The beneficial place of use will be set forth in applications for
secondary permits consistent with the Truckee River Operating Agreement. The water
stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir,
Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the
City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

78341

- 8. Existing place of use...**See Attachment "B" and map filed with application 73846**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. (SEE MAP 71382) mm 4/22/09 SAN
- 9. Use will be from.....1/1.....to.....12/31.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....1/1 to 12/31.....
- 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.)... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction.**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...N/A...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....

Print or type name clearly

..........
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....
Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

RECEIVED
2009 APR 20 PM 1:41
STATE ENGINEERS OFFICE

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ 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 capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ 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 capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South 22° 58' 48" West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ 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 capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ 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 capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

ATTACHMENT B

78341

Proposed Place of Use of Change Application

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

Portions 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; Portions of Sections 29, 30, 31, Sections 32, 33, 34, 35 and 36.

T. 20 N. E. 25 E. M.D.R. & M.

Sections 1, 2 and 3; Portions of Sections 4 and 5, Sections 7 through 36

T. 20 N. E. 26 E. M.D.R. & M.

Portion of Section 3, 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. E. 21 E. M.D.R. & 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. E. 26 E. M.D.R. & M.

Portions of Sections 5, 7 and 8, Section 17; Portion of Section 18, Sections 19, 20, 29, 30, 31 and 32.

T. 22 N. E. 26 E. M.D.R. & M.

Portions of Sections 29, 32 and 33.

T. 18 N. E. 25 E. M.D.R. & M.

All of Sections 1 through 36

T. 19 N. E. 24 E. M.D.R. & M.

Sections 1, 2, 3, 4 and 5; Portion of Section 6, Sections 7 through 36.

T. 19 N. E. 23 E. M.D.R. & M.

Portions of Sections 1, 12, 13, 14 and 23, Sections 24 and 25; Portion of Sections 26, 27 and 34, Sections 35 and 36.

COPY SENT TO: 07/23

RECEIVED
JUL 27 13 PM '14
ST. JOHNSBURGH OFFICE

Attachment "C"

15. Remarks

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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... **APR 20 2009**
Returned to applicant for correction.....
Corrected application filed.....Map filed **FEB 26 2009** under
78034

The applicant.....**CITY OF FERNLEY**.....
.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**..., NEVADA **89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under **Permit 73758**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**728.1 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR
BENEFICAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING
AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.
5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing point of diversion is located within... **Derby Dam being located in N1/2
SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.
7. Proposed place of use.....**The beneficial place of use will be set forth in applications for
secondary permits consistent with the Truckee River Operating Agreement. The water
stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir,
Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the
City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

- 8. Existing place of use...**See Attachment "B" and map filed with application 73758**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. **(See Map 71382) mm 412409**
- 9. Use will be from.....**1/1**.....to.....**12/31**.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....**1/1 to 12/31**.....
- 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.)... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under construction**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...**N/A**...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....

Print of type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....

Street and No., or P.O. Box No.

.....**Fernley, NV 89408**

City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

RECEIVED
2009 APR 20 PM 1:41
STATE ENGINEERS OFFICE

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

~~78342~~

78342

Proposed Place of Use of Charge Application

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

Portions of Sections 9 and 10, Sections 11, 12, 13, 14 and 15; Portion of Sections 16, 17 and 20, Section 21, 22, 23, 24, 25, 26, 27 and 28; Portions of Sections 29, 30, 31, Sections 32, 33, 34, 35 and 36.

T. 20 N. E. 25 E. M.D.R. & M.

Sections 1, 2 and 3; Portions of Sections 4 and 5, Sections 7 through 36

T. 20 N. E. 26 E. M.D.R. & 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; Portions of Section 32.

T. 21 N. E. 24 E. M.D.R. & 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. E. 26 E. M.D.R. & M.

Portions of Sections 5, 7 and 8, Section 17; Portion of Section 18, Sections 19, 20, 29, 30, 31 and 32.

T. 22 N. E. 26 E. M.D.R. & M.

Portions of Sections 28, 32 and 33.

T. 19 N. E. 25 E. M.D.R. & M.

All of Sections 1 through 36

T. 19 N. E. 24 E. M.D.R. & M.

Sections 1, 2, 3, 4 and 5; Portion of Section 6, Sections 7 through 36.

T. 19 N. E. 23 E. M.D.R. & M.

Portions of Sections 1, 12, 13, 14 and 23, Sections 24 and 25; Portion of Sections 26, 27 and 34, Sections 35 and 36.

2006 JUN 26 11 21 AM '06

RECEIVED
JUN 27 13 PM '06
ST. JOHNS COUNTY OFFICE

Attachment "C"**15. Remarks**

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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... **APR 20 2009**
Returned to applicant for correction.....
Corrected application filed..... Map filed **FEB 26 2009** under **78034**

The applicant..... **CITY OF FERNLEY**.....

..... **595 SILVER LACE BLVD**..... of..... **FERNLEY**....., NEVADA **89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under .. **Permit 73704**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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..... **89.33 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for..... **STORAGE WITH SECONDARY PERMITS FOR
BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING
AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within... **Derby Dam being located in N1/2
SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.

7. Proposed place of use..... **The beneficial place of use will be set forth in applications for
secondary permits consistent with the Truckee River Operating Agreement. The water
stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir,
Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the
City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

- 8. Existing place of use...**See Attachment "B" and map filed with application 73704**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. (map 71382) mm 4/24/09
- 9. Use will be from.....1/1.....to.....12/31.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....1/1 to 12/31.....
- 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.)... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction.**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...N/A...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley**

Public Works Department.....

Print or type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....

Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....

City, State, Zip Code

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

RECEIVED
2009 APR 20 PM 1:41
STATE ENGINEERS OFFICE

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

Proposed Place of Use of Change Application

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

Portions of Sections 9 and 10, Sections 11, 12, 13, 14 and 15; Portion of Sections 16, 17 and 20, Section 21, 22, 23, 24, 25, 26, 27 and 28; Portions of Sections 29, 30, 31, Sections 32, 33, 34, 35 and 36.

T. 20N., R. 25E., M.D.R. & M.

Sections 1, 2 and 3; Portions of Sections 4 and 5, Sections 7 through 36

T. 20N., R. 26E., M.D.R. & M.

Portion of Section 5, Sections 6 and 7; Portions of Sections 8 and 17, Sections 18 and 19; Portion of Sections 20 and 29, Sections 30 and 31; Portions of Section 32.

T. 21N., R. 25E., M.D.R. & M.

Portion of Sections 13, 23 and 24, Section 25; Portions of Sections 26, 27, 28 and 33, Sections 34, 35 and 36.

T. 21N., R. 26E., M.D.R. & M.

Portions of Sections 5, 7 and 8, Section 17; Portion of Section 18, Sections 19, 20, 29, 30, 31 and 32.

T. 22N., R. 26E., M.D.R. & M.

Portions of Sections 28, 32 and 33.

T. 19N., R. 25E., M.D.R. & M.

All of Sections 1 through 36

T. 19N., R. 24E., M.D.R. & M.

Sections 1, 2, 3, 4 and 5; Portion of Section 6, Sections 7 through 36.

T. 19N., R. 23E., M.D.R. & M.

Portions of Sections 1, 12, 13, 14 and 23, Sections 24 and 25; Portion of Sections 26, 27 and 34, Sections 35 and 36.

Attachment "C"

15. Remarks

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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.....	APR 20 2009
Returned to applicant for correction.....	
Corrected application filed.....	Map filed FEB 26 2009 under 78034

The applicant.....**CITY OF FERNLEY**.....

.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**..., NEVADA 89408.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under **..Permit 73703**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**62.10 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR
BENEFICAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING
AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within... **Derby Dam being located in N1/2
SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.

7. Proposed place of use.....**The beneficial place of use will be set forth in applications for
secondary permits consistent with the Truckee River Operating Agreement. The water
stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir,
Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the
City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

- 8. Existing place of use...**See Attachment "B" and map filed with application 73703**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. *(see map 71382) mm 4/14/09*
- 9. Use will be from.....**1/1**.....to.....**12/31**.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....**1/1 to 12/31**.....
- 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.)... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction.**
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...**N/A**...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....

Print or type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....

Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....

City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

**RECEIVED
2009 APR 20 PM 1:41
STATE ENGINEERS OFFICE**

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: **78034**

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

ATTACHMENT B

~~78344~~

78344

Proposed Place of Use of Change Application

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

Portions of Sections 9 and 10, Sections 11, 12, 13, 14 and 15; Portion of Sections 16, 17 and 20, Section 21, 22, 23, 24, 25, 26, 27 and 28; Portions of Sections 29, 30, 31, Sections 32, 33, 34, 35 and 36.

T. 20 N. R. 25 E. M.D.B. & M.

Sections 1, 2 and 3; Portions 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; Portions 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.

Portions 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.

Portions 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.

Portions of Sections 1, 12, 13, 14 and 23, Sections 24 and 25; Portion of Sections 26, 27 and 34, Sections 35 and 36.

Attachment "C"

15. Remarks

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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..... **APR 20 2009**
Returned to applicant for correction.....
Corrected application filed..... Map filed **FEB 26 2009** under **78034**

The applicant.....**CITY OF FERNLEY**.....
.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**..., NEVADA **89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

Point of diversion Place of use Manner of use Of a portion
of water heretofore appropriated under **Permit 73255**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**104.63 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.
5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing point of diversion is located within... **Derby Dam being located in N1/2 SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.
7. Proposed place of use.....**The beneficial place of use will be set forth in applications for secondary permits consistent with the Truckee River Operating Agreement. The water stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

- 8. Existing place of use...**See Attachment "B" and map filed with application 73255**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. (See map 71882) mm4/24/09
- 9. Use will be from.....1/1.....to.....12/31.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....1/1 to 12/31.....
- 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.)... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...N/A...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....

Print or type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....
Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

RECEIVED
2009 APR 20 PM 1:42
STATE ENGINEERS OFFICE

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: **78034**

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

Proposed Place of Use of Change Application

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

Portions of Sections 9 and 10, Sections 11, 12, 13, 14 and 15; Portion of Sections 16, 17 and 20, Section 21, 22, 23, 24, 25, 26, 27 and 28; Portions of Sections 29, 30, 31, Sections 32, 33, 34, 35 and 36.

T. 20 N., R. 25 E., M.D.B. & M.

Sections 1, 2 and 3; Portions 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; Portions 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.

Portions 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.

Portions 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.

Portions of Sections 1, 12, 13, 14 and 23, Sections 24 and 25; Portion of Sections 26, 27 and 34, Sections 35 and 36.

Attachment "C"**15. Remarks**

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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..... **APR 20 2009**
Returned to applicant for correction.....
Corrected application filed..... Map filed **FEB 26 2009** under **78034**

The applicant..... **CITY OF FERNLEY**.....

..... **595 SILVER LACE BLVD**..... of..... **FERNLEY**..., **NEVADA 89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under **Permit 73245**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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..... **159.3 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for..... **STORAGE WITH SECONDARY PERMITS FOR
BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING
AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within... **Derby Dam being located in N1/2
SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.

7. Proposed place of use.... **The beneficial place of use will be set forth in applications for
secondary permits consistent with the Truckee River Operating Agreement. The water
stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir,
Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the
City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

- 8. Existing place of use...**See Attachment "B" and map filed with application 73245**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. (see Map 71382) mm 4/24/09
- 9. Use will be from.....1/1.....to.....12/31.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....1/1 to 12/31.....
- 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.)... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction.**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...N/A...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....

Print or type name clearly



Signature, applicant or agent

.....**595 Silver Lace Blvd**.....

Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....

City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

ATTACHMENT B

~~71275~~

78346

Proposed Place of Use of Change Application

T. 20 N. E. 24 E. MDB & M.

Portions of Sections 9 and 10, Sections 11, 12, 13, 14 and 15; Portion of Sections 16, 17 and 20, Section 21, 22, 23, 24, 25, 26, 27 and 28; Portions of Sections 29, 30, 31, Sections 32, 33, 34, 35 and 36.

T. 20 N. E. 25 E. MDB & M.

Sections 1, 2 and 3; Portions of Sections 4 and 5, Sections 7 through 36

T. 20 N. E. 26 E. MDB & 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. E. 25 E. MDB & 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. E. 26 E. MDB & M.

Portions of Sections 5, 7 and 8, Section 17; Portion of Section 18, Sections 19, 20, 29, 30, 31 and 32.

T. 22 N. E. 26 E. MDB & M.

Portions of Sections 28, 32 and 33.

T. 19 N. E. 25 E. MDB & M.

All of Sections 1 through 36

T. 19 N. E. 24 E. MDB & M.

Sections 1, 2, 3, 4 and 5; Portion of Section 6, Sections 7 through 36.

T. 19 N. E. 23 E. MDB & M.

Portions 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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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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

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**PRIMARY
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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..... **APR 20 2009**

Returned to applicant for correction.....

Corrected application filed..... Map filed **FEB 26 2009** under
78034

The applicant..... **CITY OF FERNLEY**

..... **595 SILVER LACE BLVD** of **FERNLEY** .., **NEVADA 89408**

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under .. **Permit 73244**

1. The source of water is..... **TRUCKEE RIVER**

2. The amount of water to be changed..... **60.30 ac-ft**

3. The water to be used for..... **STORAGE WITH SECONDARY PERMITS FOR BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING AGREEMENT**

4. The water heretofore used for..... **MUNICIPAL & DOMESTIC**

5. The water is to be diverted at the following **SEE ATTACHMENT "A"**

6. The existing point of diversion is located within... **Derby Dam being located in N1/2 SW1/4, Section 19, T.20N., R.23E., MDB&M**

7. Proposed place of use..... **The beneficial place of use will be set forth in applications for secondary permits consistent with the Truckee River Operating Agreement. The water stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the City of Fernley Water Treatment Facility**

8. Existing place of use...**See Attachment "B" and map filed with application 73244**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. (see map 71382) mm 4/24/09

9. Use will be from.....1/1.....to.....12/31.....of each year.
Month and Day Month and Day

10. Use permitted from.....1/1 to 12/31.....

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.)... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction.**
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works.....\$50,000,000.....

13. Estimated time required to construct works.....2.0 YEAR.....
If well completed, describe well.

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

15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley**
Public Works Department.....

Print or type name clearly

Signature, applicant or agent

.....**595 Silver Lace Blvd**.....

Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....

City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: **78034**

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

Proposed Piece of Use of Change Application

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

Portions of Sections 9 and 10, Sections 11, 12, 13, 14 and 15; Portion of Sections 16, 17 and 20, Section 21, 22, 23, 24, 25, 26, 27 and 28; Portions of Sections 29, 30, 31, Sections 32, 33, 34, 35 and 36.

T. 20 N. E. 25 E. M.D.B. & M.

Sections 1, 2 and 3; Portions of Sections 4 and 5, Sections 7 through 36

T. 20 N. E. 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; Portions of Section 32.

T. 21 N. E. 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. E. 26 E. M.D.B. & M.

Portions of Sections 3, 7 and 8, Section 17; Portion of Section 18, Sections 19, 20, 29, 30, 31 and 32.

T. 22 N. E. 26 E. M.D.B. & M.

Portions of Sections 28, 32 and 33.

T. 19 N. E. 25 E. M.D.B. & M.

All of Sections 1 through 36

T. 19 N. E. 24 E. M.D.B. & M.

Sections 1, 2, 3, 4 and 5; Portion of Section 6, Sections 7 through 36.

T. 19 N. E. 23 E. M.D.B. & M.

Portions 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 "C"**15. Remarks**

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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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
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Date of filing in State Engineer's Office..... **APR 20 2009**
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The applicant..... **CITY OF FERNLEY**.....

..... **595 SILVER LACE BLVD**..... of..... **FERNLEY**..., **NEVADA 89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under .. **Permit 73243**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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..... **590.4 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for..... **STORAGE WITH SECONDARY PERMITS FOR BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.
5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing point of diversion is located within... **Derby Dam being located in N1/2 SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.
7. Proposed place of use..... **The beneficial place of use will be set forth in applications for secondary permits consistent with the Truckee River Operating Agreement. The water stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use...**See Attachment "B" and map filed with application 73243**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from.....**1/1**.....to.....**12/31**.....of each year.
Month and Day Month and Day

10. Use permitted from.....**1/1 to 12/31**.....

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.)... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works.....**\$50,000,000**.....

13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.

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

15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley**
Public Works Department.....

Print or type name clearly

Signature, applicant or agent

.....**595 Silver Lace Blvd**.....

Street and No., or P.O. Box No.

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City, State, Zip Code

**APPLICATION MUST BE SIGNED
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Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: **78034**

Lake Tahoe:

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Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

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Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

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Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

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Proposed Place of Use of Change Application

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Portions of Sections 9 and 10, Sections 11, 12, 13, 14 and 15; Portion of Sections 16, 17 and 20, Section 21, 22, 23, 24, 25, 26, 27 and 28; Portions of Sections 29, 30, 31, Sections 32, 33, 34, 35 and 36.

T. 20 N., E. 25 E., M.D.B. & M.

Sections 1, 2 and 3; Portions of Sections 4 and 5, Sections 7 through 36

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Portion of Sections 13, 23 and 24, Section 25; Portion of Sections 26, 27, 28 and 33, Sections 34, 35 and 36.

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T. 22 N., E. 26 E., M.D.B. & M.

Portions of Sections 28, 32 and 33.

T. 19 N., E. 25 E., M.D.B. & M.

All of Sections 1 through 36

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8. Existing place of use...**See Attachment "B" and map filed with application 73164**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. *(see map 7138E) mm*

9. Use will be from.....**1/1**.....to.....**12/31**.....of each year.
Month and Day Month and Day

10. Use permitted from.....**1/1 to 12/31**.....

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.).... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction.**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works.....**\$50,000,000**.....

13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.

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

15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....
Print or type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....
Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

RECEIVED
2009 APR 20 PM 1:43
STATE ENGINEERS OFFICE

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: **78034**

Lake Tahoe:

Within 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 capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within 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 capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW ¼ of the SW ¼ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South 22° 58' 48" West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within 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 capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within 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 capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N ½ of the SW ¼ of Section 19, T. 20N., R. 23E., M.D.M.

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. 25 E., M.D.B. & M.

Portion of Section 6, Sections 8 and 7; Portion of
Sections 8 and 17, Sections 18 and 19; Portion of
Sections 20 and 20, 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.

For Proposed POU use map on file under Application No. 71982-78034

For Existing POU use map to accompany these 5 applications.

Attachment "C"

15. Remarks

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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... **APR 20 2009**
Returned to applicant for correction.....
Corrected application filed.....Map filed **FEB 26 2009** under
78034

The applicant.....**CITY OF FERNLEY**.....

.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**..., NEVADA **89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under ..**Permit 73163**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**307.85 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR
BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING
AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within... **Derby Dam being located in N1/2
SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.

7. Proposed place of use.....**The beneficial place of use will be set forth in applications for
secondary permits consistent with the Truckee River Operating Agreement. The water
stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir,
Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the
City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

- 8. Existing place of use...**See Attachment "B" and map filed with application 73163**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. *(see map 71382) mm 4/21/09*
- 9. Use will be from.....**1/1**.....to.....**12/31**.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....**1/1 to 12/31**.....
- 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.).... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...**N/A**...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....

Print or type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd.**.....

Street and No., or P.O. Box No.

.....**Fernley, NV 89408**

City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

**RECEIVED
2009 APR 20 PM 1:43
STATE ENGINEERS OFFICE**

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: **78034**

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

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. 26 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 8, 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.

For Proposed POU use map on file under Application No. ¹⁸⁰³⁻¹ 71902 ^{mm}

For Existing POU use map to accompany these 5 applications.

Attachment "C"**15. Remarks**

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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	
APR 20 2009	
Date of filing in State Engineer's Office.....	
Returned to applicant for correction.....	
Corrected application filed.....	Map filed FEB 26 2009 under 78034

The applicant.....**CITY OF FERNLEY**.....

.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**..., NEVADA **89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under **..Permit 73162**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**72.36 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR
BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING
AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within... **Derby Dam being located in N1/2
SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.

7. Proposed place of use.....**The beneficial place of use will be set forth in applications for
secondary permits consistent with the Truckee River Operating Agreement. The water
stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir,
Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the
City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

- 8. Existing place of use...**See Attachment "B" and map filed with application 73162**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- 9. Use will be from.....1/1.....to.....12/31.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....1/1 to 12/31.....
- 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.)... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction.....**
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...N/A...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....
Print or type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....
Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

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 28, 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. 26 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.

For Proposed POU use map on file under Application No. 21382 78034 *mm*
For Existing POU use map to accompany these 5 applications.

Attachment "C"**15. Remarks**

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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..... **APR 20 2009**

Returned to applicant for correction.....

Corrected application filed..... Map filed **FEB 26 2009** under **78034**

The applicant..... **CITY OF FERNLEY**

..... **595 SILVER LACE BLVD.**..... of..... **FERNLEY**....., **NEVADA 89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under **..Permit 73161**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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..... **95.63 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for..... **STORAGE WITH SECONDARY PERMITS FOR BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.
5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing point of diversion is located within... **Derby Dam being located in N1/2 SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.
7. Proposed place of use..... **The beneficial place of use will be set forth in applications for secondary permits consistent with the Truckee River Operating Agreement. The water stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

- 8. Existing place of use...**See Attachment "B" and map filed with application 73161**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- 9. Use will be from.....**1/1**.....to.....**12/31**.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....**1/1 to 12/31**.....
- 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.).... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...**N/A**...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley**
Public Works Department.....

Print or type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....

Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....

City, State, Zip Code

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

RECEIVED
2009 APR 20 PM 1:44
STATE ENGINEERS OFFICE

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

ATTACHMENT B

78352

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. 26 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. 28 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 6;
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.

For Proposed POU use map on file under Application No. 91982-
78034 mm 4/21/09

For Existing POU use map to accompany these 5 applications.

Attachment "C"**15. Remarks**

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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.....	APR 20 2009
Returned to applicant for correction.....	
Corrected application filed.....	Map filed FEB 26 2009 under 78034

The applicant.....**CITY OF FERNLEY**.....

.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**..., NEVADA **89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

X Point of diversion Place of use Manner of use Of a portion

of water heretofore appropriated under ..**Permit 73142**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**180.0 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.
5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing point of diversion is located within... **Derby Dam being located in N1/2 SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.
7. Proposed place of use.....**The beneficial place of use will be set forth in applications for secondary permits consistent with the Truckee River Operating Agreement. The water stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

- 8. Existing place of use...**See Attachment "B" and map filed with application 73142**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation. *(see map 7853 71382) mm 4/27/09*
- 9. Use will be from.....1/1.....to.....12/31.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....1/1 to 12/31.....
- 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.).... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction.**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...**N/A**...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....

Print or type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....

Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....

City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

ATTACHMENT B

~~7342~~ 78353

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. 28 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. 28 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.

Refer to map on file under Application 74362

78034 9/12/09
mm

Attachment "C"

15. Remarks

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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 APR 20 2009
Returned to applicant for correction.....
Corrected application filed..... Map filed FEB 26 2009 under 78034

The applicant.....**CITY OF FERNLEY**.....
.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**..., NEVADA **89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under ..Permit 70130.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**259.245 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.
5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing point of diversion is located within... **Derby Dam being located in N1/2 SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.
7. Proposed place of use.....**The beneficial place of use will be set forth in applications for secondary permits consistent with the Truckee River Operating Agreement. The water stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use...See Attachment "B" and map filed with application 70130
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from.....1/1.....to.....12/31.....of each year.
Month and Day Month and Day

10. Use permitted from.....1/1 to 12/31.....

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.)... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction.....**
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works.....\$50,000,000.....

13. Estimated time required to construct works.....2.0 YEAR.....
If well completed, describe well.


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

15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**

(775) 784-9920

Phone No.

By:.....Lowell Patton, Director, City of Fernley
Public Works Department.....
Print or type name clearly


.....
Signature, applicant or agent

.....595 Silver Lace Blvd.....
Street and No., or P.O. Box No.

.....Fernley, NV 89408

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Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

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.

Attachment "C"

15. Remarks

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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**

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Date of filing in State Engineer's Office..... **APR 20 2009**.....
Returned to applicant for correction.....
Corrected application filed.....Map filed **FEB 26 2009** under
78034

The applicant.....**CITY OF FERNLEY**.....

.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**....., **NEVADA 89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under **..Permit 67449**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**795 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR
BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING
AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within... **Derby Dam being located in N1/2
SW1/4, Section 19, T.20N., R.23E., MDB&M**...
If point of diversion is not changed, do not answer.

7. Proposed place of use.....**The beneficial place of use will be set forth in applications for
secondary permits consistent with the Truckee River Operating Agreement. The water
stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir,
Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the
City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use...**See Attachment "B" and map filed with application 67449**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from.....**1/1**.....to.....**12/31**.....of each year.
Month and Day Month and Day

10. Use permitted from.....**1/1 to 12/31**.....

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.)... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works.....**\$50,000,000**.....

13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.

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

15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....

Print or type name clearly



Signature, applicant or agent

.....**595 Silver Lace Blvd**.....
Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....
City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

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STATE ENGINEERS OFFICE

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

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.

Attachment "C"

15. Remarks

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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... **APR 20 2009**

Returned to applicant for correction.....

Corrected application filed..... Map filed **FEB 26 2009** under
78034

The applicant.....**CITY OF FERNLEY**.....

.....**595 SILVER LACE BLVD**.....of.....**FERNLEY**..., NEVADA **89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under **..Permit 63277**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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.....**91.24 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for.....**STORAGE WITH SECONDARY PERMITS FOR
BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING
AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.

5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing point of diversion is located within... **Derby Dam being located in N1/2
SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.

7. Proposed place of use.....**The beneficial place of use will be set forth in applications for
secondary permits consistent with the Truckee River Operating Agreement. The water
stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir,
Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the
City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use...**See Attachment "B" and map filed with application 63277**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from.....**1/1**.....to.....**12/31**.....of each year.
Month and Day Month and Day

10. Use permitted from.....**1/1 to 12/31**.....

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.).... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.

12. Estimated cost of works.....**\$50,000,000**.....

13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.

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

15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley**
Public Works Department.....
Print or type name clearly

.....
Signature, applicant or agent

.....**595 Silver Lace Blvd**.....
Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....
City, State, Zip Code

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

RECEIVED
2009 APR 20 PM 1:44
STATE ENGINEERS OFFICE

\$150 FILING FEE MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

Attachment B**Proposed Place of Use**

T20N, R24E, 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.

T20N, R25E, M.D.B.&M.

Sections 1, 2 and 3; Portion of Sections 4 and 5, Sections 7 through 36.

T20N, R26E, 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.

T21N, R25E, 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.

T21N, R26E, 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.

T22N, R26E, M.D.B.&M.

Portion of Sections 28, 32 and 33.

T19N, R25E, M.D.B.&M.

All of Sections 1 through 36.

T19N, R24E, M.D.B.&M.

Sections 1, 2, 3, 4 and 5; Portion of Section 6, Sections 7 through 36.

T19N, R23E, 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.

Attachment "C"

15. Remarks

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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 the storage of the consumptive use component 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 at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

**PRIMARY
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..... **APR 20 2009**
Returned to applicant for correction.....
Corrected application filed..... Map filed..... **FEB 26 2009** under
78034

The applicant..... **CITY OF FERNLEY**.....
..... **595 SILVER LACE BLVD**..... of..... **FERNLEY**..., **NEVADA 89408**.....
Street and No. Or P.O. Box No City or Town

hereby makes... application for permission to change the.....

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

of water heretofore appropriated under .. **Permit 61893**.....
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree identify right in Decree.

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..... **435.65 ac-ft**.....
feet, acre-feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for..... **STORAGE WITH SECONDARY PERMITS FOR BENEFICIAL USES ALLOWED BY THE TRUCKEE RIVER OPERATING AGREEMENT**
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 & DOMESTIC**.....
If for stock state number and kind of animals.
5. The water is to be diverted at the following **SEE ATTACHMENT "A"**.....
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing point of diversion is located within... **Derby Dam being located in N1/2 SW1/4, Section 19, T.20N., R.23E., MDB&M...**
If point of diversion is not changed, do not answer.
7. Proposed place of use.... **The beneficial place of use will be set forth in applications for secondary permits consistent with the Truckee River Operating Agreement. The water stored under this Primary Application will be in the Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir, Derby Dam, and the City of Fernley Water Treatment Facility**.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

- 8. Existing place of use...**See Attachment "B" and map filed with application 61893**
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.
- 9. Use will be from.....**1/1**.....to.....**12/31**.....of each year.
Month and Day Month and Day
- 10. Use permitted from.....**1/1 to 12/31**.....
- 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.).... **The Reservoirs and Diversion Works for Lake Tahoe, Boca Reservoir, Donner Reservoir, Stampede Reservoir, Prosser Creek Reservoir and Derby Dam are Complete. The City of Fernley Water Treatment Facility is currently under Construction**.....
State manner in which water is to be diverted, i.e. diversion structure, ditches, pipes and flumes or drilled well, pump and motor, etc.
- 12. Estimated cost of works.....**\$50,000,000**.....
- 13. Estimated time required to construct works.....**2.0 YEAR**.....
If well completed, describe well.
- 14. Estimated time required to complete the application of water to beneficial use...**N/A**...
- 15. Remarks: **SEE REMARKS IN ATTACHMENT "C"**.....

(775) 784-9920

Phone No.

By:.....**Lowell Patton, Director, City of Fernley Public Works Department**.....

Print or type name clearly

..........
Signature, Applicant or agent

.....**595 Silver Lace Blvd**.....

Street and No., or P.O. Box No.

.....**Fernley, NV 89408**.....

City, State, Zip Code

APPLICATION MUST BE SIGNED BY THE APPLICANT OR AGENT

\$150 FILING FEE MUST ACCOMPANY APPLICATION

RECEIVED
2009 APR 20 PM 1:45
STATE ENGINEERS OFFICE

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application: 78034

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The capacity of Donner Lake is 9,500 AF.

Frosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southeast corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The capacity of Frosser Creek Reservoir is approximately

.....

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance

.....

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 626 feet, more or less. The capacity of Stampede Reservoir is approximately 226,500

Darby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

Attachment B

Proposed Place of Use

T20N, R24E, 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.

T20N, R25E, M.D.B.&M.

Sections 1, 2 and 3; Portion of Sections 4 and 5, Sections 7
through 36.

T20N, R26E, 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.

T21N, R25E, M.D.B.&M.

Portion of Sections 15, 23 and 24, Section 25; Portion of Sections
26, 27, 28 and 33, Sections 34, 35 and 36.

T22N, R26E, M.D.B.&M.

Portion of Sections 5, 7 and 8, Section 29; Portion of Section 30.

T22N, R26E, M.D.B.&M.

Portion of Sections 28, 32 and 33.

T19N, R25E, M.D.B.&M.

All of Sections 1 through 36.

T19N, R25E, M.D.B.&M.

Sections 1, 2, 3, 4 and 5; Portion of Section 6, Sections 7 through
36.

T19N, R23E, 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.

Attachment "C"**15. Remarks**

This application is filed pursuant to the provisions of N.R.S §533.515 in that it seeks to add the reservoirs described in Attachment "A" and as listed in Item 11 above as additional points of diversion for the water rights described herein. This application is also filed as part of the implementation of the operating agreement described in Section 205 (a) of Public Law 101-618. 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. The Nevada State Engineer is requested to approve this application allowing for the storage of the consumptive use component of these Nevada water rights in California.

River Operating Agreement at the places allowed by that Agreement. The amount of water diverted to storage under a permit issued hereunder in any one year will not be less than the full permitted duty of 4.5 AF per year. 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.

If the water right described herein is not diverted to storage, the full duty of the water right will continue to be diverted at its allowed points of diversion for its manner of use.

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 MAY 13 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed FEB 26 2009 under 78034

The applicant CITY OF FERNLEY

595 SILVER LACE BLVD of FERNLEY
Street Address or P.O. Box City or Town

NEVADA 89408 hereby make(s) application for permission to appropriate
State and Zip Code

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.)

1. The source of water is Truckee River Water [See Remarks Section - Line Item #13]
Name of stream, lake, underground, spring or other sources.
2. The amount of water applied for is 93.83 ACRE FEET second feet.
One second foot equals 448.83 gallons per minute.
(a) If stored in reservoir give number of acre-feet 93.83 ACRE FEET
3. The water to be used for MUNICIPAL AND DOMESTIC PURPOSES
Irrigation, power, mining, commercial, domestic or other use. Must limit 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 _____
 - (2) Point of return of water to stream _____

Handwritten initials/signature

78338501

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.)
Derby Dam being located in the N 1/2 SW 1/4, Section 19, T. 20 N., R. 23E, M.D.B.&M. after the water has been released from upstream points of diversion described in Attachment "A".

6. Place of use: (Describe by legal subdivision. If on unsurveyed land, it should be so stated.)
See Attachment "B" and map filed with primary application no. 78034

7. Use will begin about 1/1 and end about 12/31 of each year.
Month and Day Month and Day

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 pump and motor, etc.)
ALL WORKS REFERENCED IN ATTACHMENT "A" ARE COMPLETED

9. Estimated cost of works: \$0.0 - ALL WORKS COMPLETED

10. Estimated time required to construct works: N/A
(If well completed, describe works.)

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


12. 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 requirements of the US EPA Surface Water Rule. The finished water will be blended w/groundwater producing a product meeting the Safe Drinking Water Act. Alternately, the surface water may be diverted to a recharge basin for aquifer recharge, storage, and recovery. Alternately, the surface water may be used for municipal purposes from the Truckee Canal after diversion from Derby Dam.

13. Miscellaneous remarks:
The source of the water stored in Lake Tahoe, Boca Reservoir, Prosser Creek Reservoir, Stampede Reservoir, Donner Reservoir, and Derby Dam pursuant to the permit to be issued under Primary Application.

lpatton@CityofFernley.org
E-mail Address

(775) 784-9920
Phone No.

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

By Lowell Patton
Type as printed name clearly

Signature, applicant or agent
Director, City of Fernley Public Works Dept.
Company Name
595 Silver Lace Blvd.
Street Address or P.O. Box
Fernley, Nevada, 89408
City, State, Zip Code

STATE ENGINEERS OFFICE
2009 MAY 13 PM 3:48
RECEIVED

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Attachment "A"

The Proposed Points of Diversion are shown on the map filed with Application No. 78034:

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The storage capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The storage capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The storage capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The storage capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The storage capacity of Stampede Reservoir is approximately 226,500 AF.

Derby Dam:

Within the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 19, T. 20N., R. 23E., M.D.M.

Attachment "B"

Proposed Place of Use - See the map filed with Application No. 78034:

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

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

Note: In addition to the above described Place of Use, it is the intent of these applications to provide water service to the entire City of Fernley utilities service area as determined by the City of Fernley.

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 MAY 13 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed FEB 26 2009 under 78034

The applicant CITY OF FERNLEY

595 SILVER LACE BLVD of FERNLEY
Street Address or P.O. Box City or Town

NEVADA 89408 hereby make(s) application for permission to appropriate
State and Zip Code

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.)

1. The source of water is TRUCKEE RIVER WATER [SEE REMARKS SECTION - LINE ITEM #13]
Name of stream, lake, underground, spring or other sources.
2. The amount of water applied for is 93.83 ACRE FEET second feet.
One second foot equals 448.83 gallons per minute.
(a) If stored in reservoir give number of acre-feet 93.83 ACRE FEET
3. The water to be used for Wildlife Purposes
Irrigation, power, mining, commercial, domestic or other use. Must limit 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) See Attachment "A"
 - (d) Power:
 - (1) Horsepower developed _____
 - (2) Point of return of water to stream _____

SIGNED

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 Attachment "B"

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

Within the Truckee River system extending from the reservoirs listed in Attachment "B" to the point of discharge into Pyramid Lake as shown on the map filled under Primary Application No. 78034.

7. Use will begin about 1/1 and end about 12/31 of each year.
Month and Day Month and Day

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 pump and motor, etc.)

ALL WORKS REFERENCED IN ATTACHMENT "B" ARE COMPLETED

9. Estimated cost of works: \$0.0 - ALL WORKS COMPLETED

10. Estimated time required to construct works: N/A
(If well completed, describe works.)

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

12. 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.)

13. Miscellaneous remarks:

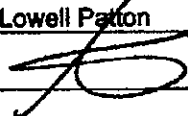
The source of the water stored in Lake Tahoe, Boca Reservoir, Prosser Creek Reservoir, Stampede Reservoir, and Donner Lake pursuant to the permit to be issued under Primary Application. Also see attachment "A" for additional remarks.

lpatton@CityofFernley.org
E-mail Address

(775) 784-9920
Phone No.

**APPLICATION MUST BE SIGNED
BY THE APPLICANT OR AGENT**

By

Lowell Patton
Type or print name clearly

Signature, applicant or agent
Director, City of Fernley Public Works Dept.
Company Name
595 Silver Lace Blvd.
Street Address or P.O. Box
Fernley, Nevada, 89408
City, State, Zip Code

STATE ENGINEERS OFFICE
2009 MAY 13 PM 3:40
RECEIVED

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Attachment "A"

Item 4 (a)

This application is filed as part of the implementation of the operating agreement as described in Section 205 (a) of Title II of Public Law 101-618, which is referred to as the Truckee River Operating Agreement. This secondary application is filed for permission to use for wildlife purposes water stored pursuant to the Primary Application at the places of use described herein. It is one of three applications for secondary permits to be issued under the Primary Application. The quantity of water which may be released and used from storage under this and related secondary permits in any one year will not exceed the amounts allowed by the Truckee River Operation Agreement. The water released from one of more of the reservoirs described in Attachment "B" may be used for wildlife purposes within the limits of the natural stream bed and banks of the Truckee River from the existing reservoirs to Pyramid Lake.

Attachment "B"

The Proposed Points of Diversion are shown on the map filed with Application Number 78034:

Lake Tahoe:

Within the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 7, T. 15N., R. 17E., M.D.M., or from the Dam the southwest corner of said Section 7 bears South $29^{\circ} 09' 30''$ West a distance of 5,182 feet, more or less. The storage capacity of Lake Tahoe is approximately 744,600 AF.

Donner Lake:

Within the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 18, T. 17N., R. 16E., M.D.M., or from the Dam the Southeast corner of said Section 18 bears South $04^{\circ} 07' 14''$ East a distance of 2,981 feet, more or less. The storage capacity of Donner Lake is 9,500 AF.

Prosser Creek Dam (Reservoir):

Within the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 30, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 30 bears South $22^{\circ} 58' 48''$ West a distance of 2,006 feet, more or less. The storage capacity of Prosser Creek Reservoir is approximately 29,840 AF.

Boca Dam (Reservoir):

Within the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, T. 18N., R. 17E., M.D.M., or from the Dam the Southwest corner of said Section 21 bears South $81^{\circ} 05' 07''$ West a distance of 2,647 feet, more or less. The storage capacity of Boca Reservoir is approximately 40,870 AF.

Stampede Dam (Reservoir)

Within the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, T. 19N., R. 17E., M.D.M., or from the Dam the Northwest corner of said Section 28 bears North $36^{\circ} 08' 27''$ West a distance of 636 feet, more or less. The storage capacity of Stampede Reservoir is approximately 226,500 AF.

APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

THIS SPACE FOR OFFICE USE ONLY

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Corrected application filed _____ Map filed FEB 26 2009 under 78034

The applicant CITY OF FERNLEY

595 SILVER LACE BLVD of FERNLEY
Street Address or P.O. Box City or Town

NEVADA 89408 hereby make(s) application for permission to appropriate
State and Zip Code

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.)

1. The source of water is TRUCKEE RIVER WATER [SEE REMARKS SECTION - LINE ITEM #13]
Name of stream, lake, underground, spring or other sources.
2. The amount of water applied for is 93.83 ACRE FEET second feet.
One second foot equals 448.83 gallons per minute.
 - (a) If stored in reservoir give number of acre-feet _____
3. The water to be used for MUNICIPAL AND DOMESTIC PURPOSES
Irrigation, power, mining, commercial, domestic or other use. Must limit 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 _____
 - (2) Point of return of water to stream _____

547-57

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.)

Derby Dam, located in the N 1/2 SW 1/4, Section 19, T. 20N., R. 23 E., M.D.B.&M.

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

See Attachment "A" and Map Filed with Primary Application No. 78034

7. Use will begin about 1/1 and end about 12/31 of each year.
Month and Day Month and Day

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 pump and motor, etc.)

Derby Dam Diversion Works and the Truckee Canal are complete

9. Estimated cost of works: N/A All Works Completed

10. Estimated time required to construct works: N/A

(If well completed, describe works.)

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

12. 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 requirements of the US EPA Surface Water Rule. The finished water will be blended w/groundwater producing a product meeting the Safe Drinking Water Act. Alternately, the surface water may be diverted to a recharge basin for aquifer recharge, storage, and recovery. Alternately, the surface water may be used for municipal purposes from the Truckee Canal after diversion from Derby Dam.

13. Miscellaneous remarks:

The source of the water stored at Derby Dam is pursuant to the permit to be issued under Primary Application.

lpatton@CityofFernley.org
E-mail Address

(775) 784-9920
Phone No.

**APPLICATION MUST BE SIGNED
 BY THE APPLICANT OR AGENT**

By

Lowell Patton

Type or print name clearly

Signature, applicant or agent

Director, City of Fernley Public Works Dept.

Company Name

595 Silver Lace Blvd.

Street Address or P.O. Box

Fernley, Nevada, 89408

City, State, Zip Code

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Attachment "A"

Proposed Place of Use – See the map filed with Application No. 78034:

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

Portion of Section 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, Section 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, 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;

STATE OF NEVADA
COUNTY OF CARSON CITY

I, MICHAEL A. STANKA, BEING FIRST DULY SWORN, DEPOSE AND SAY THAT I AM THE REGISTERED PROFESSIONAL ENGINEER WHO HAS PREPARED AND CORRECTLY DRAWN TO THE DESIGNATED SCALE FROM FIELD NOTES OF A SURVEY MADE BY ME OR UNDER MY SUPERVISION AND DIRECTION ON DECEMBER 31, 2008 AND UPON ANALYSIS OF RECORDED SURVEY DOCUMENTS AND OTHER DOCUMENTS LOCATED AT THE RELEVANT BUREAU OF LAND MANAGEMENT OFFICE LOCATIONS, PROPOSED PORTS OF DIVERSION AND PROPOSED STORAGE PRIMARY AND SECONDARY APPLICATIONS TO PERMIT 95226, LOCATED WITHIN SIERRA, NEVADA, AND PLACER COUNTY (CALIFORNIA) AND STOREY AND LYON COUNTY, NEVADA BY THE CITY OF STORKY AND STOREY (PRIMARY) AND WILDLIFE AND MUNICIPAL USE (SECONDARY).

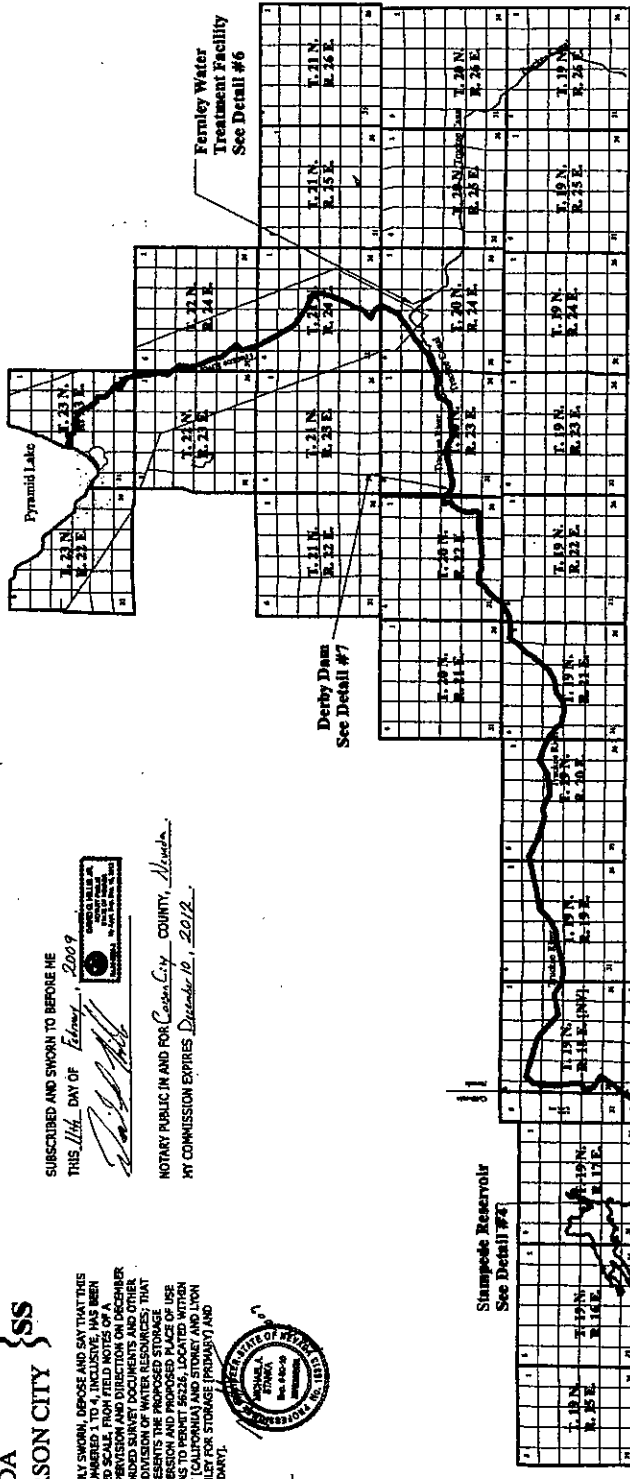


Michael A. Stanka
MICHAEL A. STANKA SWRS # 1122

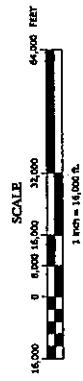
SUBSCRIBED AND SWORN TO BEFORE ME
THIS 11th DAY OF February, 2009



David A. Smith
NOTARY PUBLIC IN AND FOR Carson City, COUNTY, Nevada
MY COMMISSION EXPIRES December 10, 2012.



LEGEND
TOWNSHIP / RANGE LINE
SECTION LINE
TRUCKEE RIVER



February 11, 2009 Sheet 3 of 4

MAP TO ACCOMPANY PRIMARY AND SECONDARY APPLICATIONS TO CHANGE PERMIT 95226 TO STORAGE (PRIMARY) AND MUNICIPAL AND WILDLIFE (SECONDARY)
By
CITY OF STORKY
TRUCKEE RIVER
IN SIERRA, NEVADA, AND PLACER COUNTIES [CALIFORNIA] AND STOREY AND LYON COUNTY, NEVADA

STATE ENGINEER'S USE



STANKA CONSULTING, LTD
108 NORTH MINNESOTA STREET
CARSON CITY, NEVADA 89703
775-841-2266
STANKACONSULTING@AOL.COM

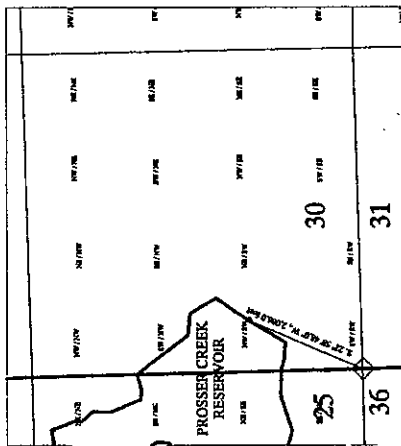
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BASIS OF BEARINGS

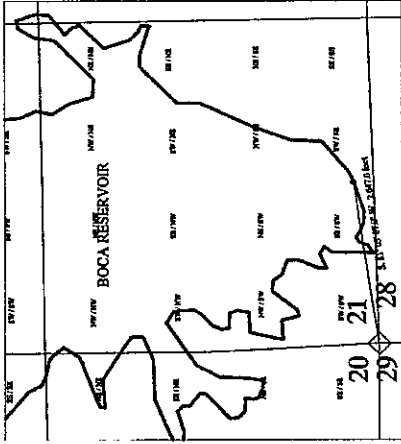
DETAILS #1-5: CALIFORNIA
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NOTES

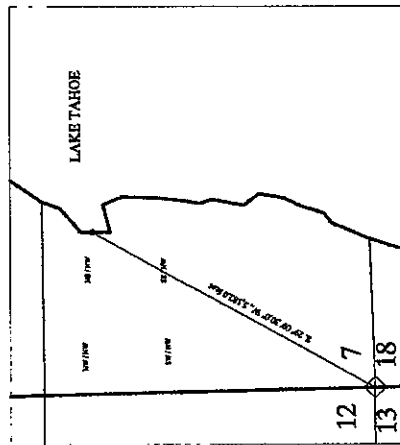
- SECTIONAL BREAKDOWN PROVIDED BY THE BUREAU OF LAND MANAGEMENT LAND RECORDS [HTTP://WWW.BLM.GOV](http://www.blm.gov) REFERENCE MAPS FILED WITH NEVADA DIVISION OF WATER RESOURCES APPLICATIONS NOS. 67182, 67183, 67525, 71534, AND 73783



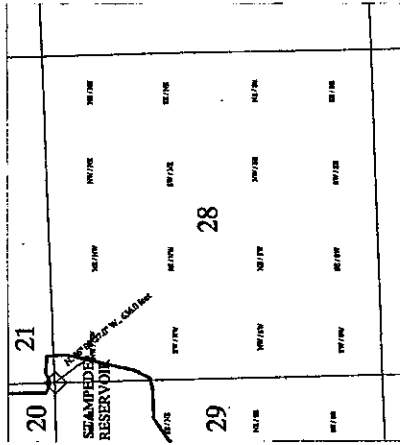
Detail #1 PROSSER CREEK RESERVOIR
POINT OF DIVERSION - NW 1/4 SW 1/4
SECTION 30, T.18N., R.17E., M.D.B. & M.



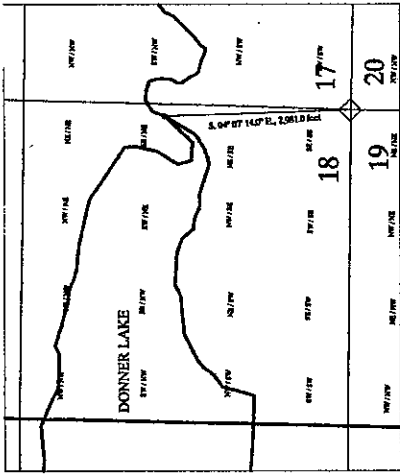
Detail #2 BOCA RESERVOIR
POINT OF DIVERSION - SE 1/4 SW 1/4
SECTION 21, T.18N., R.17E., M.D.B. & M.



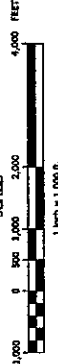
Detail #3 LAKE TAHOE
POINT OF DIVERSION - NE 1/4 NW 1/4
SECTION 7, T.15N., R.17E., M.D.B. & M.



Detail #4 STAMPEDE RESERVOIR
POINT OF DIVERSION - NW 1/4 NW 1/4
SECTION 28, T.19N., R.17E., M.D.B. & M.



Detail #5 DONNER LAKE
POINT OF DIVERSION - SE 1/4 NE 1/4
SECTION 18, T.17N., R.16E., M.D.B. & M.



NOTES

INDICATES FOUND SECTION CORNER, AN IRON PIPE WITH FLAG, BRASS CAP

TOWNSHIP / RANGE LINE

SECTION LINE

1/16 SECTION LINE

STATS ENGINEER'S USE

FEBRUARY 11, 2009

Sheet 2 of 4

MAP TO ACCOMPANY PRIMARY AND SECONDARY APPLICATIONS TO CHANGE PERMIT 8528 TO STORAGE (PRIMARY) AND MUNICIPAL AND WILDLIFE (SECONDARY)

CITY OF FENLEY FROM TRUCKEE RIVER IN SIERRA, NEVADA, AND PLACER COUNTIES (CALIFORNIA) AND STOREY AND LYON COUNTY, NEVADA



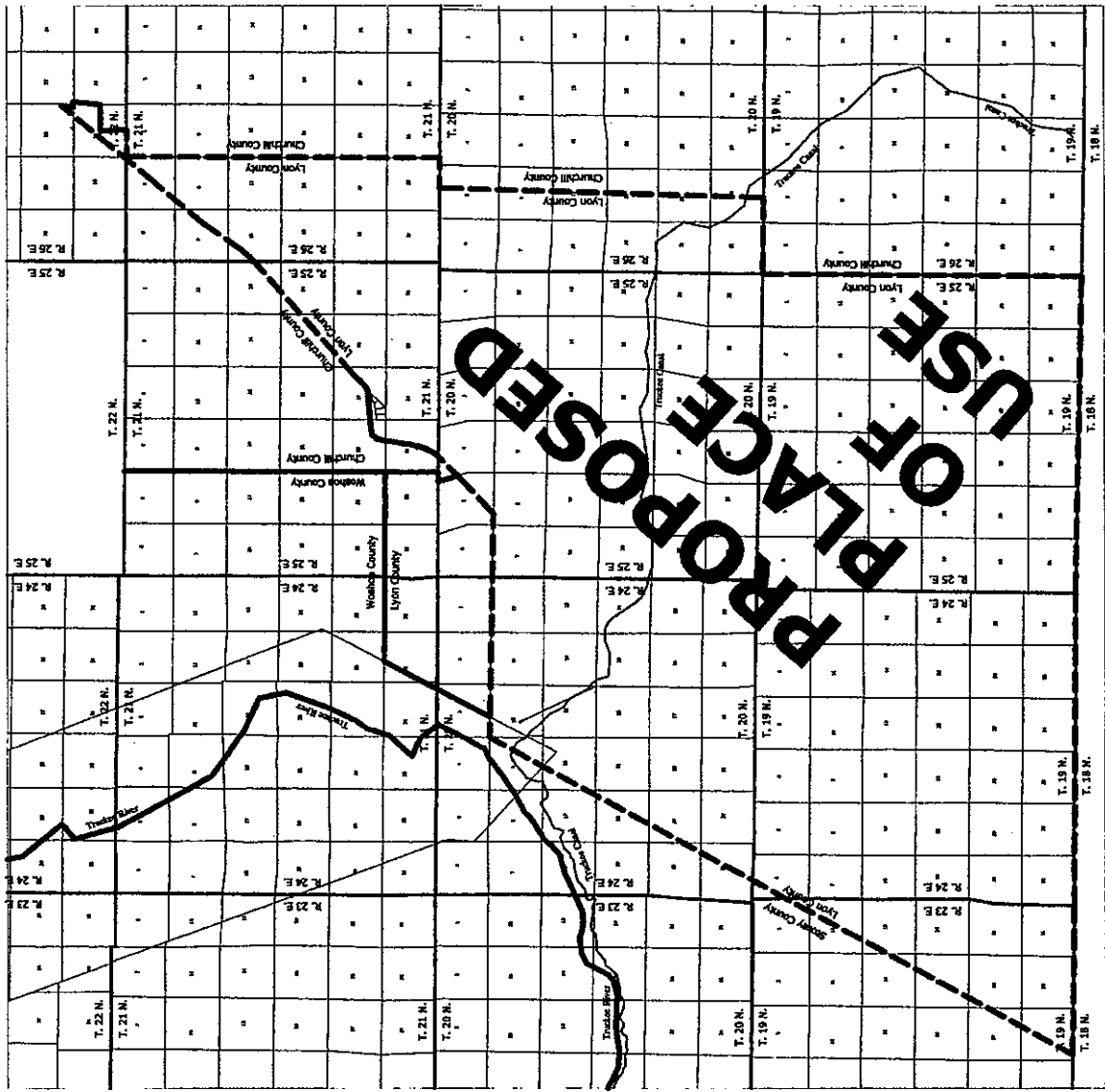
STANKA CONSULTING@AOL.COM

775-841-2266
CARSON CITY, NEVADA 89703

STANKA CONSULTING, LTD
108 NORTH MINNESOTA STREET

801 W. G STREET

78357 78358 78359 78360 78361 78362 78363 78364 78365 78366 78367 78368 78369 78370 78371 78372 78373 78374 78375 78376 78377 78378 78379 78380 78381 78382 78383 78384 78385 78386 78387 78388 78389 78390 78391 78392 78393 78394 78395 78396 78397 78398 78399 78400 78401 78402 78403 78404 78405 78406 78407 78408 78409 78410 78411 78412 78413 78414 78415 78416 78417 78418 78419 78420 78421 78422 78423 78424 78425 78426 78427 78428 78429 78430 78431 78432 78433 78434 78435 78436 78437 78438 78439 78440 78441 78442 78443 78444 78445 78446 78447 78448 78449 78450 78451 78452 78453 78454 78455 78456 78457 78458 78459 78460 78461 78462 78463 78464 78465 78466 78467 78468 78469 78470 78471 78472 78473 78474 78475 78476 78477 78478 78479 78480 78481 78482 78483 78484 78485 78486 78487 78488 78489 78490 78491 78492 78493 78494 78495 78496 78497 78498 78499 78500



February 11, 2009 Sheet 4 of 4

SCALE
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 1 inch = 6,000 ft.

MAP TO ACCOMPANY PRIMARY AND SECONDARY APPLICATIONS TO CHANGE PERMIT 55235 TO STORAGE [PRIMARY] AND MUNICIPAL AND WILDLIFE STORAGE [SECONDARY] by CITY OF RENO, TRUCKEE RIVER IN SIERRA, NEVADA, AND PLACER COUNTIES [CALIFORNIA] AND STOREY AND LYON COUNTIES, NEVADA

STATE ENGINEERS USE

FILED
 FEB 11 2009
 DISTRICT ENGINEER

801114123132

STANKA CONSULTING, LTD
 108 NORTH MINNESOTA STREET
 CARSON CITY, NEVADA 89703
 775-841-2266
 STANKACONSULTING@GOL.COM

— TOWNSHIP / RANGE LINE
 — SECTION LINE

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