

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

Date of filing in State Engineer's Office MAR 16 1998

Returned to applicant for correction MAR 27 1998

Corrected application filed _____

Map filed MAY 18 1998

The applicant **FDC Group, L.L.C., a Nevada Limited Liability Co.**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Unnamed Spring**
2. The amount of water applied for is **0.50 cfs second-feet**
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for **Wildlife Purposes**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point the E1/2 of Lot 2 of the NW1/4 of Section 3, T19N, R18E, MDM, or at a point from which the NW1/4 of said Section 3, bears N.79° 24' 16" W., a distance of 1649.38 feet
6. Place of Use **See Attachment**
7. Use will begin about **January 1** and end about **December 31**, of each year.
8. Description of proposed works **Collection systems, pipelines, troughs and irrigation systems.**
9. Estimated cost of works **\$150,000.00**
10. Estimated time required to construct works **Two (2) Years**
11. Estimated time required to complete the application of water to beneficial use **Five (5) Years**
12. Remarks: **Estimated Annual Consumptive Use will be provided on Amended Application.**

By **s/Michael D. Buschelman**
Michael D. Buschelman, P.L.S.
5405 Mae Anne Avenue
Reno, Nevada 89523

Compared gkl/cms

Protested _____

63956

DENIAL OF STATE ENGINEER

~~This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:~~

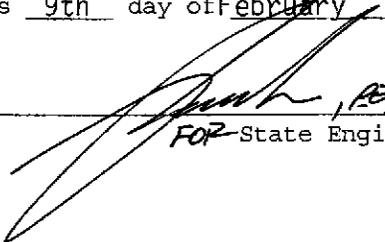
This application is hereby denied on the grounds that there is insufficient water at the proposed source, the application conflicts with existing surface-water rights and the Applicant cannot place the water to beneficial use as the Applicant has no control or access to the water source.

IN TESTIMONY WHEREOF, I, TRACY TAYLOR, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 9th day of February, A.D. 2009



FOR State Engineer

ATTACHMENT

Item No. 6 - Proposed Place of Use

SE 1/4 SE 1/4 of Section 35 T20N, R18E, MDM, all of Section 2, excepting therefrom Lot 21 (NW 1/4 NW 1/4) of Record of Survey #1061, all of Section 3, excepting therefrom Lot 22, within a portion of the NE1/4 of Section 3 of Record of Survey #1061, NW 1/4, W 1/2 of the NE 1/4 of Section 10 and NE1/4, a portion of the SE1/4, a portion of the SW1/4 and a portion of the NW1/4 of Section 11, (Lots 1 thru 8 inclusive as shown on Record of Survey #1061), T19N, R18E, MDM. Recorded maps on file at Washoe County Records Office, Reno, Nevada.

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**2nd
ATTACHMENT
TO APPLICATION NO. 63956**

Item No. 4 - Number and kind of animals

The Number and kind of wildlife is unknown. The Riparian Habitat & Wildlife Watering areas will help to enhance the vegetation for the wildlife that is native to this area as well as help to grow evergreen/deciduous trees and shrubs to visually shield deer and other wildlife from developed areas.

Item No. 12 - Consumptive Use

Estimated consumptive use under Application No. 63956 is 63 acre feet per year. This is based on an estimated average flow of 65 gallons per minute for a period of 31 weeks. This 31 week period is the expected season of use to satisfy the water needs for Riparian Habitat & Wildlife watering.

1. RIPARIAN HABITAT DEMAND CALCULATIONS FOR WILDLIFE BUFFER:

The following calculations are based on Sierra Pacific Power Company's formulas for estimating acre feet of water required annually for landscaping. We have utilized these formulas for riparian habitat demands. The following demands will be satisfied from seven (7) proposed spring sources. The 63 acre feet estimated above for consumptive use under this application will be combined with water from other springs to satisfy the acre footage demand totaled below.

1A. Drip Irrigation:

$$\frac{1154 \text{ trees \& shrubs} \times 8 \text{ gph} \times 2 \text{ hrs} \times 2 \text{ days} \times 31 \text{ wks.}}{325,851} = 3.51 \text{ acft.}$$

1B. Drainage & Riparian Habitat Enhancement Areas:

$$\frac{2,562,175 \text{ sqft} \times 3.41}{43560} = 200.57 \text{ acft.}$$

2. WILDLIFE WATERING

1A. 15 Ponds/Tanks x 2ft x 6,000 sqft = 4.13 acft. x 4 for evaporative loss & wildlife consumption
 = 16.52 acre feet per year.

3. TEMPORARY SPRAY IRRIGATION (if required would be needed for one year only to allow plants to germinate):

$$\frac{1,012,500 \text{ sqft} \times 3.41}{43,560} = 79.26 \text{ acft.}$$

4. ESTIMATED LANDSCAPE DEMAND:

First year total = 299.86 Acre feet per year.

Second year and thereafter total = 220.60 Acre feet per year.

The water under Applications Nos. 63956 through 63962, inclusive, will be utilized to satisfy the estimated first year demand of 299.86 acre feet. These same applications will continue to supply the estimated 220.60 acre feet for subsequent years.

A supporting map has been prepared in support of the above mentioned applications, showing the location of the proposed Points of Diversion and proposed Place of Use.