

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 JAN 20 2009

Returned to applicant for correction _____

Corrected application filed _____ Map filed JAN 20 2009 under 77839

The applicant United States of America, U. S. Department of Energy
1551 Hillshire Drive of Las Vegas
Street Address or P.O. Box City or Town

Nevada 89134 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 Underground (PeV-4/p)
Name of stream, lake, underground, spring or other sources.
2. The amount of water applied for is .5 cfs not to exceed .2 acre-feet per year 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 Industrial (See Attachment A)
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 _____

RECEIVED
 STATE ENGINEER
 2009 JAN 20 AM 10:57
 177-21

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.)

Within the SE 1/4 SW 1/4 of Section 12, T.1S., R.54E., M.D.B. & M. (unsurveyed), or at a point from which the northeast corner of Section 5, T.1S., R.55E., M.D.B. & M., bears N. 55° 54' 33" E. a distance of 18,208 feet.

(See Basin 170 Map Sheet 2 of 3)

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

Within the SE 1/4 SW 1/4 of Section 12, T.1S., R.54E., M.D.B. & M. (unsurveyed).

(See Basin 170 Map Sheet 2 of 3)

7. Use will begin about January 1 and end about December 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.)

Drilled and cased well, vertical turbine pump and motor, pipeline, and above-ground holding tank(s).

9. Estimated cost of works: \$350,000

10. Estimated time required to construct works: 3 years
(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.)

See Attachment A (PeV-4/p).

13. Miscellaneous remarks:

The United States of America, U.S. Department of Energy is filing this permit application as a matter of comity.

Ned Larson@ymp.gov
E-mail Address

(702) 794-1454
Phone No.

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

By Ned B. Larson
(Type or print name clearly)
Ned B. Larson
Signature, applicant or agent
United States of America, U.S. Dept. of Energy
Company Name
1551 Hillshire Drive
Street Address or P.O. Box
Las Vegas, NV 89134
City, State, Zip Code
78-01147 02 NOV 2009 JAN 20 AM 10:37

\$250 FILING FEE AND SUPPORTING MAP MUST ACCOMPANY APPLICATION

Protested: March 27, 2009, by Penoyer Farms LTD; April 3, 2009, by the Nevada Agency for Nuclear Projects by and through the Attorney General's Office; April 9, 2009, by Nye County; April 10, 2009, by Lincoln County Water District

ATTACHMENT A**Water Appropriation Permit Application Supplemental Information**YMP Well Identifier PeV-4/p:

This application to permanently appropriate the waters of the State of Nevada in Basin 170 is being filed by the United States of America, U.S. Department of Energy (DOE) in order to provide water for use at a railroad siding to meet the DOE's responsibilities under the Nuclear Waste Policy Act of 1982, as amended.

Item 3. Industrial uses will include, but are not limited to, facility maintenance, wildfire suppression, and other related site uses.

Item 12. The DOE will construct a 333-mile-long railroad from the existing Union Pacific mainline in Caliente, Nevada to Yucca Mountain. That railroad will be used to transport spent nuclear fuel, high-level radioactive waste, and other materials to a geologic repository at Yucca Mountain. The DOE will also allow commercial shippers to use the rail line to ship general freight, subject to obtaining a Certificate of Public Convenience and Necessity from the Surface Transportation Board and other necessary regulatory approvals.

Up to 103 wells will be used along the rail line to obtain water required for construction and operation of the railroad. Well PeV-4/p and 12 other wells will be retained and used during operation of the railroad. Well PeV-4/p, which will be located at a siding, will be used for maintenance of the railroad, wildfire suppression, and other related uses.

STATE ENGINEER
2009 JAN 20 AM 10:37